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

MINUTES July 13, 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, July 13, 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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Mayor Robertson called the meeting to order at 5:00 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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 CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code section 54956.8 Property: : 1432 S. Riverside Avenue, Rialto, CA 92376 Agency Negotiator: City Manager Marcus Fuller; City Attorney Eric Vail Negotiating Parties: NewMark Merrill Companies, LLC; City of Rialto Under Negotiation: Price and Terms of Sale

CALL TO ORDER

CLOSED SESSION

CLOSED SESSION

- CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code section 54956.8 Property: 261 S. Palm Avenue Agency Negotiator: City Manager Marcus Fuller; City Attorney Eric Vail Negotiating Parties: The Forum Blues Cafes (Terrance Harper); City of Rialto Under Negotiation: Price and Terms of Lease
- CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation Pursuant to Government Code section 54956.9(d)(2) Number of matters: three (3)
- CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to Government Code section 54956.9(d)(1) Name of Case: Cynthia Balderas v. City of Rialto, CIV SB 2105830
- CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code section 54957.6 Agency Designated Representatives: City Manager Marcus Fuller Employee Organizations:
 - City Government Management Association
 - Rialto Fire Management Association
 - Rialto Mid-Management & Confidential Employee's
 Association
 - Rialto Policy Benefit Association Management
 - Rialto City Employee's Association
 - Rialto Police Benefit Association General
 - Rialto Professional Firefighters of California Local 3688
 - Executive Management Team
 - Management Unrepresented Employees
 - Unrepresented Employees

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Motion by Council Member Trujillo, second by Council Member Perez and carried by 5-0 vote to go into Closed Session at 5:02 p.m.

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City Council returned from Closed Session at 6:36 p.m.

CALL TO ORDER	Mayor Deborah Robertson called the meeting to order at 6:45 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 present via Zoom.
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Pledge of Allegiance	Council Member Karla Perez led the Pledge of Allegiance.
and Invocation	Pastor Harry Bratton – Greater Faith Grace Bible Church
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City Attorney's Report on Closed Session	 CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code section 54956.8 Property: : 1432 S. Riverside Avenue, Rialto, CA 92376 Agency Negotiator: City Manager Marcus Fuller; City Attorney Eric Vail Negotiating Parties: NewMark Merrill Companies, LLC; City of Rialto Under Negotiation: Price and Terms of Sale
	 CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code section 54956.8 Property: 261 S. Palm Avenue Agency Negotiator: City Manager Marcus Fuller; City Attorney Eric Vail Negotiating Parties: The Forum Blues Cafes (Terrance Harper); City of Rialto Under Negotiation: Price and Terms of Lease
	 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation Pursuant to Government Code section 54956.9(d)(2) Number of matters: three (3)
	4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Government Code section 54956.9(d)(1) Name of Case: Cynthia Balderas v. City of Rialto, CIV SB 2105830

City Attorney's Report on Closed Session

CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code section 54957.6 Agency Designated Representatives: City Manager Marcus Fuller Employee Organizations:

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City Attorney Vail stated that the City Council was able have a discussion and give direction on each of the five items. There was no reportable action on any of the five items.

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Introduction of New Employee by City Manager Marcus Fuller City Engineer - David Hammer

Certificate of Recognition to Azyah Rice for Wrestling Championship - Mayor Robertson

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ORAL COMMUNICATIONS

PRESENTATIONS AND

PROCLAMATIONS

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

E.4 Water Infrastructure Finance Innovation Act Program

None.

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Mayor Robertson abstained from Voucher 218721 from Warrant Resolution No. 51 (07/01/2021) made out to the National Council of Negro Women.

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Council Member Trujillo would like to pull Item E.4 for discussion.

He asked at what point are we going to start working on helping residents with that particular infrastructure.

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Tom Crowley, Utilities Manager, stated some areas were identified that could be converted from septic to sewer. It's finding the design and the financial ability to install the infrastructure to get to the homes. The WIFIA application is for innovative-type projects in water and wastewater and the reason for the four projects identified and further along in the process than we're at with septic to sewer.

E.4 Water Infrastructure Finance Innovation Act Program

Council Member Trujillo stated that is a good clarification.

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Mr. Crowley stated we're still pursuing grant funding for some of projects that we got identified for the septic to sewer and continue to figure out how to install the infrastructure to get to those residents.

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Mayor Robertson asked how many of the Rialto residents are on septic and what our process is. We have talked about it. We were provided a grant to review. This may be good opportunity to partner with the County on this application for the infrastructure in the Rancho Verde area. We already have a major project. And we won't be able to carry that. I would love to have a robust application. If we counted those numbers we can improve water quality in our region, but we could not afford the bill.

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Council Member Trujillo stated the focus is on the Linden/Carter neighborhood.

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Mr. Crowley stated we got that identified to go after that with the Proposition 1.

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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.50 (06/24/2021)
- B.2 Warrant Resolution No.51 (07/01/2021)
- B.3 Warrant Resolution No.52 (07/08/2021)

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C. APPROVAL OF MINUTES

- C.1 Regular City Council Meeting June 8, 2021
- C.2 Regular City Council Meeting June 22, 2021

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D. CLAIMS AGAINST THE CITY

Adrian Jones - Vehicle Damage

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CONSENT CALENDAR

CONSENT CALENDAR

E. MISCELLANEOUS

- E.1 Request City Council to Cancel the Regular City Council Meeting Dates of August 24, November 23 and December 28, 2021.
- E.2 Request City Council to Approve the Annual Renewal of Nixle 360 Platform in the amount of \$24,602 from Everbridge Inc. for a Community Information Notification System for FY 2021/2022 and Authorize the City Manager to Approve an Annual Purchase Order for this Vendor for Community Information System for Three Years FY 2024/2025.
- E.3 Request City Council 1) Approve an Inter-Agency Instructional Services Agreement with the San Bernardino Community College District for Training and Instructional Services for a period of Three Years through June 30, 2024 and 2) Authorize the City Manager to Execute the Agreement.
- E.4 Request City Council/Rialto Utility Authority Board Authorize Submission of Letters of Intent Applications for the Water Infrastructure Finance Innovation Act Program for the Following Projects: Lake Rialto, Rialto Microgrid, Advanced Metering Infrastructure (AMI) and Security for Utility Sites.
- E.5 Request City Council to Approve an Increase to an Annual Purchase Order (PO) No. 2021-0245 for an Additional Amount of \$10,000 for Ride on Powersports, Inc. for Fiscal Year 2021/21 for Police Motorcycle Services Through June 2021 for a Total Purchase Order (PO) Amount of \$25,000.
- E.6 Request City Council to approve the Supplement Agreement with the City Government Management Association (CGMA) to specifically account for the cost sharing formula for any PEPRA employees of CGMA

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Motion by Council Member Trujillo, second by Council Member Carrizales and carried by a 5-0 vote to approve the Consent Calendar.

Mayor Robertson abstained from Voucher No. 218721 from Warrant Resolution No. 51 (07/01/2021).

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Marcus Fuller, City Manager, presented staff report to Request City Council to Approve Renewal of Professional Consulting Agreement for Legislative Advocacy Services with David Turch and Associates in an Amount Not to exceed \$78,000 per year (\$156,000 total) for a Two-Year Term Commencing on July 1, 2021 and ending on June 30, 2023.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Approve Renewal of Professional Consulting Agreement for Legislative Advocacy Services with David Turch and Associates in an Amount Not to exceed \$78,000 per year (\$156,000 total) for a Two-Year Term Commencing on July 1, 2021 and ending on June 30, 2023.

Consulting Agreement for Legislative Services with David Turch and Associates

TAB 8

NEW BUSINESS TAB 1 Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021	Request City Council to 1) Review and Discuss the Draft Fiscal Year 2021-2022 Budget; and 2) Set a Public Hearing for July 27, 2021 to Consider the Approval and Adoption of the Fiscal Year 2021-2022 Budget.
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Summary for City Clerk	Council Member Trujillo asked if the current City Clerk Department staff levels were appropriate due to the high demand in passport services. 0o0
	City Clerk McGee stated that in the last budget, she requested the part-time staff become full-time. Over a \$500,000 profit was made in passport services since the department reopened to the public. Since the pandemic, the Rialto City Clerk's Office was one of the few facilities open for passport services in the area with available staff.
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Summary for Human Resources	Mayor Robertson asked if the Risk Management aspect will no longer be in the Human Resources office.
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	City Manager Fuller stated that is correct.
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Summary for Community Development	Mayor Robertson asked if there is more than one Assistant Planner or changing one to Planning Aide. I am trying to understand the organization structure.
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	City Manager Fuller stated he will provide that answer to the City Council.
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	Mayor Pro Tem Scott asked how many plan checkers are there currently.
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	City Manager Fuller stated there is one vacancy; a Senior Plans Examiner; and one Plans Examiner that is currently employed.
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	Mayor Pro Tem Scott asked if the Plans Examiner that is currently employed and asked if they examine plans.
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	City Manager Fuller stated that the Plans Examiner position has been filling providing counter service to staffing issues. That is reason for the need for another Permit Technician.
	000

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Mayor Pro Tem Scott asked if that is underutilization of a Plans Examiner.

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City Manager Fuller stated it is but there have been problems with vacancies and counter coverage still need to be provided.

Mayor Pro Tem Scott asked if both Permit Technicians are City employees.

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City Manager Fuller stated yes, they are.

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Mayor Pro Tem Scott asked why haven't contracted permit technician employees been hired to allow Plans Examiner for plans checks.

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City Manager Fuller stated the only contract available currently is with Veritas. All the other contracts for building services have expired. That's a TAB 4 on the agenda later tonight.

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Karen Peterson, Community Development Manager, continued with Community Development portion of summary presentation regarding staffing recommendations.

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Mayor Robertson asked if the Assistant Planner is a position below the Planning Aide.

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Ms. Peterson stated the Assistant Planner is a step above the Planning Aide.

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Mayor Robertson asked currently there are two Senior Planners and then the part-time would become a third Senior Planner.

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Ms. Peterson stated yes.

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Mayor Robertson asked what other Planners are there below the Senior Planners.

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Ms. Peterson stated there is an Associated Planner.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Mayor Pro Tem Scott requested that Ms. Peterson explain to him the process of how a project enters the Planning Department. What is the process when it gets moved to Building, Public Works, Fire Department and the Police Department.

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Ms. Peterson stated that during the planning phase, after the application is received, it is then distributed to all of those departments. Weekly meetings take place to receive input from all divisions and departments on the planning application.

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Mayor Pro Tem Scott asked if the applicant is present when the weekly meetings occur.

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Ms. Peterson stated no. They are internal discussions.

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Mayor Pro Tem Scott asked who contacts the applicant to explain what the process is and who they need to speak to. Who is responsible in Community Development in connecting the applicant with the necessary staff.

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Ms. Peterson stated during the planning phase, it is the Case Planner Project Manager who moves the applicant through the approval of the entitlement.

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Mayor Pro Tem Scott asked if the Case Planner is the Project Manager and is responsible for making those connections.

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Ms. Peterson stated correct.

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Mayor Pro Tem Scott asked if anyone verifies that it is done.

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Ms. Peterson stated yes.

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Mayor Robertson stated oftentimes the Project Manager does not know reasons why things have been imposed. Who understand the directions and recommendations from the various internal departments

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Ms. Peterson stated it is the responsibility of the Case Planner to understand all comments and to make certain there no internal inconsistencies and resolve any differences there may be.

TAB 1 Mayor Robertson asked about the break down in fees related to **Review and Discuss Draft Fiscal Year** DIF, Development Impact Fees coming in. 2021-2022 Budget; Set a Public Hearing for July 27, 2021 000 City Manager Fuller stated they are accounted for in a separate fund. Those are captured the Development Impact Fee funds for the different impact fees. 000 Mayor Pro Tem Scott asked why the projected budget is less than the Summary for Business License revised budget. Why the reduction? 000 Bob Chandler, Interim Finance Director, stated there was a one-time charge that was mistakenly carried over from 2019/2020 into 2021 which shouldn't have been. It's been removed now. 000 Mayor Pro Tem Scott asked if the actual amount is correct from 2019-2020 at \$4,370.000.00. 000 Interim Finance Director Chandler stated yes, that is correct. 000 Mayor Pro Tem Scott asked why the reduction this year to \$3.862.000.00. 000 Interim Finance Director Chandler stated that in the revised budget a \$500,000 one-time charge from 2019-2020 that should not have been was carried over. It's been taken out. 000 Mayor Pro Tem Scott stated he has a hard time understanding that. 2018-2019 to projections to this year there is not a big difference despite the substantial amount new business in the City. 000 Interim Finance Director Chandler stated someone from that department will need to answer questions. 000 Ms. Peterson stated there have been some business closures. There has been an impact from the pandemic and they attempted to be conservative. 000

Mayor Pro Tem Scott asked about the personnel expenses gap difference being significantly lower than previous years.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Thad Coffing, Accounting Technician, stated in FY20 there was a \$500 million dollar one-time, catch up payment that was being recorded in the wrong CD. In FY21, it was accidentally carried forward we had not realized it was a one-time revenue that was received in FY20. Revenues are coming in a bit under where we projected for the current year because of that mistake -- not the full half million budgeted, but some growth. But it won't come in as high as we had budgeted in the current FY 21.

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Mayor Pro Tem Scott asked about the Personnel Expenses.

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Mr. Coffing stated there was a person who was partially paid out of this budget but no longer. The reduction of the part-time staff and the full-time employee that is no longer there.

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Mayor Pro Tem Scott asked if only full-time employees were listed.

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Mr. Coffing stated correct.

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Mayor Pro Tem Scott asked why is there a reduction in part-time employees. He stated he doesn't understand the reduction in personnel in business licensing.

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Mr. Coffing stated that is something the department worked on.

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Mayor Pro Tem Scott stated he knows there are businesses in the City not paying their licenses, and there is no inspector to make certain all businesses are signing up for their licenses. If that is what the part-time person's job was, then why would we reduce that.

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Ms. Peterson stated there has always been one full-time business license inspector and an intern helping.

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Mayor Pro Tem Scott asked if there will be the same staff for FY 2021/2022.

Ms. Peterson stated there will be one full-time duty inspector. Part of his job duties will be to be in the field.

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Mayor Pro Tem Scott asked why the reduction.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Ms. Peterson stated they were able to shift part of the duties to the Administrative Assistants.

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Mayor Pro Tem Scott stated Business Licenses revenue is a priority in the City.

Mr. Fuller, I will have that Item to be re-evaluated.

0o0

City Manager Fuller stated he'd advocate for an additional staff person.

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Mayor Pro Tem Scott stated that having dealt with business licenses in this City, one person doing licensing and also inspections is not enough. This is a revenue generator for the City. We need to revisit that.

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Mayor Robertson asked if there have been businesses that have not paid their business licenses. She asked about the reduction in revenue.

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City Manager Fuller stated there was a one-time, half million dollar catch up payment from sales taxes that were not accrued correctly to Rialto. The revised budget from last year, they carried that one time. The \$3.8 million projected for next year is conservatively lower than actuals for this last year. Based on numbers, there weren't that many closures, but projected revenues can be revisited and be addressed in the final budget.

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Mayor Robertson stated we need to look at the business licenses to make certain that they have been paid.

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Community Development (Engineering)

Mayor Robertson asked if the City Engineer would operate under Public Works or if this position would operate under Community Development.

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City Manager Fuller stated under his proposal, the current Public Works Department would no longer exist. It would split into two different functions with the Engineering side now folded under Community Development Department. The City Engineer would be responding to the Community Development Director. The maintenance side of the department would be a new department that will be on the future slide.

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Mayor Robertson asked if this will be dealing with engineering, development services, private development, and capital projects.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 City Manager Fuller stated correct. Nothing changes with the functions of the Engineering Division of the Public Works Department only that the Community Development Director will be responsible for coordinating that whole function.

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Mayor Robertson asked if the nomenclature of the Public Works Department would be eliminated.

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City Manager Fuller stated correct.

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Mayor Robertson asked if that Community Development would have Engineering and Maintenance Operations as well.

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City Manager Fuller stated no. Maintenance would be a separate new department.

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Council Member Trujillo asked if grant writing and Safe Routes to Schools will be under Community Development.

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City Manager Fuller stated it would still be handled by the current staff of the Engineering Division. Then depend who the City Engineer reports to. In my opinion, it is better to consolidate with the Community Development Department as opposed to the Public Works Director.

My goal is on the Maintenance side of the Public Works Department by having a Director who is focused on that type of service, facilities, and fleet maintenance.

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Council Member Perez asked about the \$2 million dollar reduction Services & Supplies Expenses.

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City Manager Fuller stated that reflects the City Council's prior direction to reduce their reliance on contract consultants.

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Council Member Trujillo also asked about the \$2 million dollar reduction Services & Supplies Expenses.

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City Manager Fuller stated we are moving away from outside consulting firms.

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Council Member Trujillo stated that is a lot of savings.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021

Fire Department

Mayor Pro Tem Scott stated EMTs were purposely moved at the Fire Department's recommendation because it would save the City money. Their salaries were increased and now to reclassify them to Paramedics. We don't need to have that discussion tonight, but we do need to have that discussion. We are asked to do something by the Fire Department for cost savings and then do something entirely different. I asked for information on individuals on the Fire Department. I want to meet with the City Manager and the Fire Chief and have a discussion about this. There's no change in budgeted employees. If the budget has increased, it is probably due to salary increases made. I am opposing changing EMTs to Paramedics unless this was supposed to be an entry level position to move people up into Paramedics and not have to send Paramedics to every call to the hospital they wanted to use EMTs. Now that structure is changed and this is the first time, we're hearing about it.

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City Manager Fuller stated it was represented as cost neutral.

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Mayor Pro Tem Scott stated everything the Fire Department does is cost neutral. We ought to ban the word "cost neutral" in this City.

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Mayor Robertson stated she recalled having this discussion under Chief Fratus. We need to have a broader conversation so we can hear the logic and history.

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City Manager Fuller stated he would welcome the Fire Chief to come up to expand.

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Mayor Pro Tem Scott stated before expanding you may need more coverage.

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City Manager Fuller stated he will take that direction.

He stated you previously approved the purchase of two engines. It's necessary to budget for outfitting and equipment for those engines. The Fire Chief requested funds for two command vehicles. I will take your direction on that as well.

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Mayor Pro Tem Scott stated he has a question on those. And that is an RFP process for buying fire engines. It appears we have been buying fire engines sole source. I believe it should be bought under an RFP.

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City Manager Fuller stated this will be for an outfitting. The engines have already been purchased through prior City Council action.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021

Mayor Pro Tem Scott asked if it was strictly equipment.

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City Manager Fuller stated correct.

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Mayor Robertson asked if action had already been taken for the fitting of the vehicles with a sole source vendor.

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City Manager Fuller stated sometime it's through a cooperative purchase agreement with other agencies to leverage the buying power of the larger agency.

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Mayor Pro Tem Scott stated it's always the same company we buy from.

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Mayor Robertson asked when these two new engines due to come online.

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City Manager Fuller stated they are in manufacturing and due in nine months.

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Mayor Robertson expressed her concerns that the Tiller fire engine truck can effectively exit any fire stations.

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City Manager Fuller stated he will look further into that for Mayor Robertson.

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Mayor Pro Tem Scott asked if the command vehicles are replacements or additional vehicles.

Fire Chief Grayson stated they would be replacements. There's one staff member that does not have an assigned vehicle. They would replace vehicles that are 15 years old and more than 150,000 miles.

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Mayor Robertson asked if it is part of the fleet's removal and replacement inventory.

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Fire Chief Grayson stated yes.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Council Member Trujillo asked if these vehicles have special equipment that make it difficult to lease out.

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Fire Chief Grayson stated they do but any of these vehicles could be leased for the vehicles. Multiple providers are offering the opportunity to outfit the vehicles.

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Council Member Trujillo stated he prefers a lease program to save on capital costs.

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Mayor Pro Tem Scott stated he believed a fire vehicle which holds special equipment would be more expensive to lease. A study would need to be done.

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Fire Chief Grayson stated we would have to do all the outfitting ourselves.

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Mayor Robertson stated we need to know what are in the command vehicles. Are they the vehicles assigned to the Battalion Chiefs?

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Fire Chief Grayson stated correct.

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Council Member Trujillo asked if it would have to go through multiple types of terrain.

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Fire Chief Grayson stated they need to be four-wheel drive.

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Mayor Pro Tem Scott asked if command staff are paramedics and do they go on paramedic calls.

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Fire Chief Grayson stated all of the current chief officers are paramedics. The Battalion Chiefs often do and most of the staff in the office will rotate and respond to calls too.

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Summary for Police Department

Mayor Robertson asked about the reclassification of Police Officer to Police Lieutenant and what its role would play.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Police Chief Kling stated currently there are four Lieutenants that are assigned to patrol. We do not have an Administrative Lieutenant and a Special Operations Lieutenant. There's no oversight at a major management position. This position would consolidate those underneath the Captain but also limiting liability facing. With all the new laws coming from Sacramento affecting law enforcement operations, that's what this new Lieutenant would be in charge with. There's a gap in learning the whole administrative side of the whole organization. That's what this Lieutenant would be doing.

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Mayor Robertson asked would your other Lieutenants rotate through all of that.

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Police Chief Kling stated there would be a rotational part. The four Lieutenants would rotate into one of the two Administrative Lieutenants.

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Mayor Robertson asked about the TRACK IT system that has not rolled out to the public.

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Chief Kling stated we have been making descent strides in the Animal Control function. The licensing was completing split. Initially it was in Finance.

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Mayor Robertson expressed her concerns whether nor not TRACK IT is right for the City. Do you have a timeline on what your goal is to have it to the point where the public would access information? We need to have a better timeline.

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Chief Kling stated there is an IT approach and plan to develop it and hope to have someone who can implement it.

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Mayor Pro Tem Scott asked about body cameras, and patrol vehicles, and grant funding from Congressional Representatives.

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Chief Kling stated Congress Members Torres, Aguilar and Napolitano looked at a \$700,000 bill. They made it through the first round. It's not guaranteed yet. After two more rounds, we will know if we're awarded.

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Mayor Pro Tem Scott asked if that will cover the two amounts.

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Chief Kling stated it will cover the majority of those two amounts.

TAB 1 Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021	Mayor Pro Tem Scott asked is there was sufficient amount of staffing to cover Community Compliance.
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Summary for Community Compliance	Chief Kling stated since Community Compliance is now coming to PD, it's not up and running the way we really want it. We're in the process of hiring. At mid-year, I'll be able to give you an answer.
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	Mayor Pro Tem Scott asked about Community Compliance vehicles and if they would be replaced. They've been here a long time. Is that in a different budget?
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	Chief Kling stated an assessment was completed and they would get through this coming fiscal year. Once the full cadre of officers come in, if need be, we'll include them in the lease agreements presented in the fall.
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	Council Member Trujillo asked about the drop in revenues.
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	Chief Kling stated it has to do with the lack of citations. There was a friendlier approach to the community related to COVID and citations but it does not mean the officers are not doing their job. There has also been a drop in revenue because there has been a drop in officers.
	000
Summary for Maintenance and Facilities	Mayor Robertson asked under this structure have you moved or has it always been that all of the properties are under the responsibility of maintenance and facilities such as historical properties as well for maintaining and overseeing them.
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	City Manager Fuller stated if it is a City facility, I would imagine it is Maintenance and Facilities responsibility, yes.
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	Mayor Robertson asked about the revenue incurred from cemetery and maintained public facility.
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	City Manager Fuller stated the Cemetery Enterprise Fund is underwater.
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	Mayor Robertson stated in the meantime there's ongoing maintenance and weekly maintenance.
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Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Mr. Coffing stated the fees for the regular burials are supposed to cover that.

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Mayor Robertson stated she is trying to understand what resources can be used under maintenance beyond the burial.

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Mr. Coffing stated their expenses are not included. They're in a different fund. This is the general fund part of the maintenance. The cemetery pays for its own services. It's a bit under water. There's a transfer that goes from the general fund into the cemetery, but that's not included on this slide. I believe it's \$45,000.

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Mayor Robertson asked if it was in another slide.

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Mr. Coffing stated not in this presentation but in the budget document.

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Mayor Pro Tem Scott stated he would like to have further discussion on the cemetery. First off, the cemetery should be maintained in a proper and dignified manner, and it is not. It seems to come second to everything else in the City. Being a person who's buried a loved one, that's not a pleasant experience for individuals to have to endure and deal with. We have to have a discussion about what we're going to do with the cemetery and perhaps contract out those services to do a better job maintaining it.

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City Manager Fuller stated he completely agrees. He will look further into that and the City Council may consider increasing its subsidy to the City. So the City can do some of the heavy lifting maintenance and improvements necessary in terms of the conditions of the cemetery given that the revenues from the cemetery fund don't generate a reserve fund to make those improvements.

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Mayor Pro Tem Scott stated exactly. He asked about the paving done in the cemetery three years ago, and it's still not done.

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Mayor Robertson stated someone injured themselves in a pothole two years ago when we had our last Memorial Day Ceremony.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Mr. Tahan reminded the City Council that two months ago the Item was brought in before the City Council for bid for the re-pavement project, but the Item was pulled and brought back to Economic Development Committee, EDC to have further discussion.

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Mayor Pro Tem Scott asked how many months ago was that and why haven't we had that discussion.

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Mr. Tahan stated two months ago, and it was scheduled to come back to EDC in July.

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Mayor Pro Tem Scott asked if any attempt has been made to take care of the holes going all the way down to the caskets where there are odors coming out of those holes and the general condition of that cemetery, the headstones.

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Mr. Tahan stated we are looking at that.

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Mayor Pro Tem Scott stated it is not acceptable. Where my son is buried, and I see something, I go to the front office and something gets done. It doesn't wait for six months or two years to get done. It's disrespectful to families who have loved ones out there. I'm going to take it on as my personal mission. I'm tired of talking about this.

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Mayor Robertson stated the finance seemed to be a factor and it's an afterthought.

The cemetery is not only a place to have a moment with their loved ones. It's a historical one. Who has a vision for the historical cemetery? How are we collectively coming together and discussing it? You tell me about an enterprise fund and an endowment. But I don't know who has a plan for expansion and improvement. Some graves were buried before the 1900s and the structure has collapsed. Mayor Pro Tem Scott is not the only one who has buried someone. Our City cemetery seems like an afterthought. Some cities are making accommodations to bury their loved ones under the existing headstone. I don't know what our procedure is, if it's double deep. We need to revisit our charging fees to allow people to rest in the cemetery and find revenue to maintain it.

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City Manager Fuller stated he will take all the comments as they evaluate in how to move forward.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021

Summary for Community Services

Mayor Robertson stated we can expand the cemetery and shrink the public parks.

000

Council Member Trujillo asked about the doubling in revenues when there was no programming.

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City Manager Fuller stated they have reopened and will start recreation programming as we exit out of COVID. But the revenues pale in comparison to 2018-2019 and 2019-2020. It's a conservative estimate of what is expected to see.

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Council Member Trujillo asked about staffing under CDBG, and will continue or be included under Community Services budget.

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City Manager Fuller stated if it's a reoccurring cost, it makes sense to budget the cost in the general fund as opposed to CDBG.

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Julio Salcedo, Recreation Supervisor, stated the designation for expenses under the CDBG for the senior program came under the last Community Services Director and allowed to free up some staff expenses and use elsewhere. He stated they have been reapplying for CDBG funds and have been able to budget less in the senior services division because of the CDBG funding. At the City Council direction, we can include that position in the regular budget and come from general fund.

000

Council Member Trujillo asked why this position is a continuing standing item when it is only an employee.

000

Mr. Salcedo stated that CDBG staff was going to collaborate with the community-based organizations to provide workshops and services to the senior population. Under the last Director, we kept applying for it and asked for fewer funds for the senior services division and supplement with CDBG funds.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 Mayor Robertson clarified that as CDBG Subcommittee Chair, annual requests were made for CDBG funds to support the senior center program prior to the last Director. That is how funds were allocated for staff for the senior program along with paying the 108 loan that was against the senior facility construction. The question becomes: What has been the senior programs? She also stated there needs to be a fuller discussion on company services and how it will be funded.

000

Council Member Trujillo asked if there is a future position with the department or is it a long-standing Item.

000

City Manager Fuller stated if it is the City Council's will, it can be accounted for that portion of that full-time position in the general fund instead of the CDBG Program.

000

Council Member Trujillo asked if this position is represented in the eight positions listed.

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Mr. Salcedo stated it is a part-time position. It is not represented in the full-time position.

000

City Manager Fuller stated with the City Council's direction, he will make the change to the final budget to ensure that position doesn't rely on CDBG funds.

000

Mayor Robertson asked who the budgeted, full-time employees are.

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Mr. Salcedo stated five programmers.

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Mayor Robertson asked if the Fit for Kids Program was still in effect.

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Mr. Salcedo stated Fit for Kids was not refunded by CDBG.

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Mayor Robertson asked if there was Child Development.

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Mr. Salcedo stated yes.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 City Manager Fuller stated proposed in the budget, is four staff members. Two field service workers and two senior field service workers to dedicate to the parks. He would encourage the City Council's support on this recommendation.

000

Mayor Robertson asked if that is in addition to the 10 that are already budgeted for park maintenance.

000

City Manager Fuller stated the 14 counts as the 4 additional staff.

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Mayor Robertson asked about the revenue generated in 2018-2019.

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City Manager Full stated we can find out.

000

Mayor Pro Tem Scott agrees with City Manager Fuller's changes. In addition, there needs to be a discussion about Park Rangers. The only way to have control in the parks is with Park Rangers starting with one or two parks. Otherwise, we're going to lose control of Sampson and Frisbie Parks to elements outside of our community. It's not a good thing to spend \$19 million dollars on a park and have nobody watching our investment.

000

City Manager Fuller stated he will work with Police Chief Kling to determine if the Park Ranger will be armed or issue citations.

000

Mayor Pro Tem Scott stated we need to have it.

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Mayor Robertson asked for a fee structure broken down for the specific parks that generate revenue using the parks' facilities. We need to think about what can be done to generate revenue to off set some of the staff needs.

000

Council Member Trujillo recommends a marketing strategy. There are facilities in the City he was unaware of such as the Old Church.

000

Mayor Robertson stated the Old Church generates revenue when in operation. But nobody is accounting for it.

Review and Discuss Draft Fiscal Year 2021-2022 Budget; Set a Public Hearing for July 27, 2021 City Manager Fuller agreed and encouraged the new Community Services Director to take on that challenge.

He stated there is no marketed change in the budget for that department.

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Summary for Wastewater

City Manager Fuller stated revenues remain consistent with last fiscal year. Expenses with personnel slightly increased with recommendation to add one more full-time person Senior Administrative Analyst to assist the City Manager and the Utilities Manager.

000

Mayor Robertson asked if it is in addition to the current staff.

000

City Manager Fuller stated yes. This would increase it from two to three people. The Utilities Manager, the Administrative Analyst, and the Senior Administrative Analyst.

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Council Member Trujillo asked why the need for more staff.

000

Tom Crowley, Utilities Manager, stated that with the additional help, it would allow some of the complex projects to move forward. It will enhance the ability to get more done with the additional staff.

000

City Manager Fuller stated the City Council has noted to have further discussion and recommended to scheduling a Public Hearing at the next City Council meeting for July 27, 2021 for adoption consideration.

Mayor Robertson asked City Clerk McGee if anyone wanted to come forward to speak.

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City Clerk McGee stated no.

000

Motion by Council Member Trujillo, second by Council Member Perez and carried by a 4-1 vote to 1) Review and Discuss the Draft Fiscal Year 2021-2022 Budget; and 2) Set a Public Hearing for July 27, 2021 to Consider the Approval and Adoption of the Fiscal Year 2021-2022 Budget.

Mayor Pro Tem Scott voted no.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 Michael Tahan, Interim Director of Public Works, presented staff report to Request City Council to Provide Direction on Annual Special Assessments and Consider Adoption of: (1) Resolution No. 7738, Resolution No. 7739, and Resolution No. 7740 Related to Street Light Maintenance District No.1; (2) Resolution No. 7741, Resolution No. 7742, and Resolution No. 7743 for Landscape Maintenance District No. 1 and Landscaping and Lighting Maintenance District No. 2 and; (3) Resolution No. 7744, Resolution No. 7745, and Resolution No. 7746. Setting a Public Hearing for July 27, 2021, to Consider the Levy and Collection of Assessments Therein.

000

Mayor Robertson asked what would be the impact if we continue the Item to the next City Council meeting.

000

City Manager Fuller stated the levy of the special assessments need to be adopted in order to be sent to the County by August 10, 2021. We have lost the benefit of time in order to get these actions completed in order to get the levy to the County.

0o0

Mayor Robertson asked that a better timeframe in agenda preparation be arranged to avoid having everything up against a deadline.

000

City Manager Fuller agreed with Mayor Robertson. It should start six months ago.

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Mayor Robertson asked what has improved in the lighting resource.

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City Manager Fuller stated all the lights were converted to LED.

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Mayor Pro Tem Scott stated there hasn't been any cost savings from going to LED and acquiring our own street lights.

000

City Manager Fuller stated that's the question I asked. I hope to have answers at the Public Hearing.

000

Mayor Robertson asked about tree trimming related to street lighting.

000

City Manager Fuller stated when the district was formed it was specific for street lighting and tree trimming. It was in the description of the services.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 Council Member Trujillo asked if there has been cost-saving plans to use City maintenance for landscaping services.

000

City Manager Fuller stated that as that district comes up he will be prepared to answer that question. My recommendation with Street Lighting District 1 would be to amend the budget to increase the subsidy from the general fund which would be a transfer out to the Street Lighting District fund.

000

Council Member Perez recommended not eliminating the tree trimming service is a good option.

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Mayor Robertson stated the trees would probably need to be re-evaluated especially if they are lifting up sidewalks.

000

Mayor Robertson asked if we are paying for providing Landscape Maintenance District, LMD and water services in areas.

000

City Manager Fuller stated correct.

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Mayor Pro Tem Scott recommended everyone to drive around the City to look at the District being discussed. He asked if water is being curtailed in the City due to some areas looking awful and why no one is paying attention to it. He sees it every day driving around the City especially by Cedar Avenue or Baseline Avenue or almost any street in the City. We are not watering. We either shut off the water or not maintaining the sprinkler system and it's gotten worse in the last three or four months. I am in favor of finding somebody that wants to do the job. I cannot in good conscience vote for anything on this tonight. Property owners of this City are paying good money to have this landscaped maintained along their properties, and it's not being done.

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Council Member Trujillo stated there are a lot of broken sprinkler systems. And they should be able to address those matters.

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Mayor Pro Tem Scott asked who in the City is responsible.

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City Manager Fuller stated there is a permanent full-time employee who monitors all the landscape contracts, Sam Sung.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 Council Member Trujillo asked about the broken sprinklers on Cactus Avenue towards the country club and asked how are they being monitored.

000

Sam Sung, Landscape Contract Specialist, stated they are monitored monthly and repaired on as-needed basis. The system is 30 to 40 years old.

000

Mayor Pro Tem Scott stated his home sprinkler system is 33 years old. It works fine, and the grass is very green.

000

Council Member Carrizales stated that it doesn't matter that it's 30 years, if you install a new sprinkler appropriately, at least it's being used properly. There needs to be an assessment of all the worst areas and address them. We cannot leave our City to dry out.

000

Council Member Trujillo asked about the cost to repair a broken sprinkler.

000

Mr. Sung stated \$15-17 dollars approximately for a small spray head sprinkler. A 12-inch pop-up riser sprinkler is approximately \$25-30 per sprinkler.

0o0

Mayor Robertson stated all comments made is reflective of some concerns we all have even to the point of revisiting the vendor. Zone 1 is a residential with no trees. I would like to see what the cost of water is in that area. Where do we find a greater use of water? It's the layout of the District. Any of us can say that its meeting any standards other than where we have directed for some of the warehouse and industrial developments. They look far better than what we have on our City streets.

000

City Manager Fuller stated those are probably in Landscaping Lighting District 2 because all the new development is annexed into that district. As those annexations occur, those assessments are set with an initial assessment that ensures it covers the costs of that landscaping. This District is under Prop 218 control, the revenues are set unless the assessments are increased. Some Districts have old landscaping and have no reserve fund for capital improvements unless it is budgeted through the general fund to replace the old landscaping.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 Mr. Sung stated we are in the third year of the contract going on the fourth.

000

City Manager Fuller stated he will contact staff about rebidding in the next fiscal year to consider a new contact.

000

Mayor Robertson asked what has been done to address the old District with some of the resources available. She asked about the ground cover.

000

Mr. Sung stated some areas were converted from pop-up spray head to drip system.

000

Mayor Robertson asked why the contract cost would more for the service when there is less to maintain.

000

Mr. Sung stated the area to be maintained is about the same. It is easier to do mowing and perform edging. When trimming is done, weeds need to be removed and pick up clippings manually.

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Council Member Carrizales asked if it used to be mowed or trimmed once a week.

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Mr. Sung stated they're edging.

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Council Member Carrizales asked what is being edged. Most is dirt area.

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Mayor Robertson clarified it is being mowed weekly not edging weekly.

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Mr. Sung stated they're edging weekly.

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Mayor Robertson stated no, no.

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Council Member Carrizales stated they're not trimming weekly either.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 Council Member Trujillo asked about homeowner's association residents contribution to landscaping participation fees.

0o0

City Manager Fuller stated that in Landscape District 2, the City Council could direct the change of practice to require new developments to annexed into our district to impose a burden on them to maintain, at their cost, exterior landscaping.

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Council Member Trujillo stated sometimes it is easier to have them control both the interior and exterior landscaping.

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City Manager Fuller stated correct. The HOA bill would increase and would not have the special assessment for the City's District.

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Council Member Trujillo stated they would still have full control.

000

City Manager Fuller stated that's correct.

000

Mayor Robertson stated all these concepts are worth exploring.

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Mayor Pro Tem Scott stated we have had this discussion before. How are you going to make an HOA take care of the landscaping on the outside of a wall? You're not. They're not going to do it. The housing project on Bloomington Avenue has a lot of landscaping on the outside of the wall. They're not going to take care of that. The City has to take care of it. To think that an HOA is going to do that. They're not. They're going to save money by not doing anything. It's going to die. And the City is going to look worse than it already looks. But if we have a landscape district, it's our responsibility to take care of it and take care of it with the money they're paying it. I am adamantly opposed to HOA's taking care of exterior landscaping because they're not going to do it. I guarantee they're not going to do it.

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Mayor Robertson stated let's move to Landscaping Lighting District 2.

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Council Member Trujillo asked about labor cost on drought tolerance.

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Tony Brandyberry, Public Works Superintendent, expounded further into drought tolerance and its impact on landscaping, irrigation and maintenance costs.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 Council Member Trujillo asked about bringing in contracts to the City.

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Mr. Brandyberry stated we did a study. And it's about a 30-40 percent increase. Mostly because of the retirement systems. The City has to hire so many employees to cover four times when employees are off. A contractor has smaller contracts and use the Rialto contract to gain other contracts and have a group of workers that move around throughout different contacts. With a capital investment, it's really expensive to bring it in-house. We would prefer to bring in-house to bring a better quality product. But it did not make financial sense.

000

Mayor Robertson asked about the performance of both vendors and can their appearance be measured. It would have been nice to have seen the analysis of the study that was performed. We're here again. We're not hearing innovating solutions. I'm hearing explanations and conversations that we should not be having on the 11th hour on matters that we address every year.

City Manager, besides the fact, that this Item should not be before us, where we're listening to this. We're on TAB 2. It doesn't show that we're not interested. We're very much are interested. And we need to probably take some time to really see what we should see. Maybe you should be showing pictures letting us know which vendor is outperforming. You're justifying the cost for why the contract is increasing but outcome does not look any better. Something is wrong with the equation.

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Council Member Carrizales asked how much water savings were made related to the drought discussion.

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Mr. Brandyberry stated yes. There were savings during FY 2017-2018 or 2018-2019 in a staff report with water-savings analysis made. He will provide the report to the City Council.

000

Mayor Robertson requested to also bring back the report showing the breakdown of how much the City pays in water and how much the City pays the other water provider in the City and how can we determine if we are doing conservation, what are they doing? We're not in a deficit this year, but we may be next year.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 City Manager Fuller stated he certainly received some direction. It is necessary to take the action to adopt the resolutions of intent and the other resolutions ordering the preliminary engineer's report. Based on the direction, we presented engineer's reports for all three districts with no increases to assessments, but it would require a subsidy from the general fund in Street Lighting District 1 and Landscape District 1 for this fiscal year. We would bring back for approval on July 27, 2021 at a Public Hearing to ensure action. If action is not taken, there would be a loss of approximately \$2 million dollars in special assessments that don't get levied on the tax roll.

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Mayor Robertson asked City Clerk McGee if anyone asked to speak on TAB 2 .

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City Clerk McGee stated no.

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Motion by Mayor Robertson, second by Council Member Perez and carried by a 2-3 vote to Adopt (1) Resolution No. 7738, Resolution No. 7739, and Resolution No. 7740 Related to Street Light Maintenance District No.1; (2) Resolution No. 7741, Resolution No. 7742, and Resolution No. 7743 for Landscape Maintenance District No. 1 and Landscaping and Lighting Maintenance District No. 2 and; (3) Resolution No. 7744, Resolution No. 7745, and Resolution No. 7746. Setting a Public Hearing for July 27, 2021, to Consider the Levy and Collection of Assessments Therein.

Mayor Pro Tem Scott voted no.

Council Member Trujillo voted no.

Council Member Carrizales voted no.

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Mayor Robertson stated motion does not move forward.

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City Manager Fuller stated if you don't take the action, we are not able to move.

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Mayor Robertson stated they heard that.

Provide Direction on Annual Special Assessments and Consider Adoption of Resolution No. 7738; Resolution No. 7739; Resolution 7740; Resolution 7741; Resolution 7742; Resolution 7743; Resolution 7744; Resolution 7745; Resolution 7746; Setting a Public Hearing for July 27, 2021 Mayor Pro Tem Scott asked why would you wait till the 11th hour to tell us that if we don't make the motion it dies. How many more times in this City is this going to happen. This has been going on a long time. We pay people in this City a lot of money to do a job. Everything is the 11th hour in this City. Then we are forced to do something we don't agree with and we don't like. It looks terrible in this City. I'm tired of hearing excuses and everything coming to the City Council at the last minute. There are 15 TAB Items on the agenda tonight. We're on TAB 2.

Madam Mayor, I will change my objection to a yes vote so this can move forward. But I am putting Mr. Fuller, I am putting you on notice tonight. That will not happen again. And if \$2 million dollars goes down the drain in this City because of bad staff, then you can figure out what to do.

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Mayor Robertson stated Mayor Pro Tem Scott changed his motion and not directed to Mr. Fuller personally but at the situation that continues to go.

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Mayor Pro Tem Scott stated exactly.

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Mayor Robertson stated this will not come to us next year. I didn't know if I needed to include it in the motion. I have to echo what Mayor Pro Tem Scott says. It's not you, Mr. Fuller. You haven't even made 30 days with the City, and you walk in to have to listen to this. We already told everybody to not go beyond 12 TABS. If it's not ready on Wednesday, it's not going to be ready on Thursday. Mr. Fuller needs to hold the line. This won't keep happening.

So Mayor Pro Tem Scott changed his vote, the motion carries.

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Motion by Mayor Robertson, second by Council Member Perez and carried by a 3-2 vote to Adopt (1) Resolution No. 7738, Resolution No. 7739, and Resolution No. 7740 Related to Street Light Maintenance District No.1; (2) Resolution No. 7741, Resolution No. 7742, and Resolution No. 7743 for Landscape Maintenance District No. 1 and Landscaping and Lighting Maintenance District No. 2 and; (3) Resolution No. 7744, Resolution No. 7745, and Resolution No. 7746. Setting a Public Hearing for July 27, 2021, to Consider the Levy and Collection of Assessments Therein.

Council Member Trujillo voted no.

Council Member Carrizales voted no.

TAB 3 Adopt Resolution No. 7747

Marcus Fuller, City Manager, presented staff report to Request City Council Adopt Resolution No. 7747 Approving the Municipal Solid Waste Collection, Recycling and Disposal Service Rates for Fiscal Year 2021/2022, Effective July 1, 2021.

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Council Member Trujillo believed the EDC has chosen the right path to forego those fees. I was informed that fund has \$2-3 million dollars available for our residential streets. I am fine with foregoing the suspensions so long as the funds are available in the accounts.

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Motion by Mayor Robertson, second by Mayor Pro Tem Scott and carried by a 5-0 vote to Adopt Resolution No. 7747 Approving the Municipal Solid Waste Collection, Recycling and Disposal Service Rates for Fiscal Year 2021/2022, Effective July 1, 2021.

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Marcus Fuller, City Manager, presented staff report to Request City Council to Approve the Second Amendment to the Professional Services Agreement Between the City of Rialto and Bureau Veritas North America, Inc., for Building Official Services for an Additional \$60,000; for a Revised Not-To-Exceed Compensation Total under the Amended Agreement of \$310,000.

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Mayor Pro Tem Scott asked out of the \$60,000 how much will be allocated for Plan Check.

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Trang Huynh, Contract Building Official, stated currently Veritas manages all the plans checks for building and fire for the City. We are doing plan check cost about 75-80 percent of the cost of the budget at this time.

000

Mayor Pro Tem Scott stated he adamantly opposes to having the same company that the building official works for. It should have been contracted to somebody else. It was not made clear to the City Council when this happened. I will not vote for this tonight unless you separate plan check and assign it to somebody else. It's a conflict of interest. He's an employee of Veritas, and he's giving all this work to Veritas while we have a plan checker sitting there doing no plan checking. If the rest of the City Council wants to approve it, so be it.

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TAB 4 Second Amendment to the Professional Services Agreement Between City of Rialto and Bureau Veritas North America, Inc. for Building Official Services

Second Amendment to the Professional Services Agreement Between City of Rialto and Bureau Veritas North America, Inc. for Building Official Services City Manager Fuller stated if you give me authority between now and the next City Council meeting to enter into a contract with one of the selected firms that has responded to the RFP that was issued earlier this year. That action should have occurred before you were forced to enter into this position. This is the only firm we have available to provide building official plan check services. I understand what you're saying.

0o0

Mayor Pro Tem Scott stated I would like for you to figure out how that happened. Because that's not what was supposed to happen. I don't know if it was Mr. Grayson, Mr. Foster or Mr. Hamilton that did it, but it is highly inappropriate. This is not how we do business in Rialto.

000

Mayor Robertson stated all I can do is echo what he said. Conflict of interests, disclosure forms, nepotism forms, and for somebody ending up giving the contract to a company and the building official. I can't vote on it. How do I consciously deal with something that was just brought to my light that the same person is working out of the same company.

000

City Manager Fuller stated part of this action if you give me authority is I will look at the 4-5 proposals we have as a stop gap and enter into a short-term agreement, for a limited scope agreement on plan check. I just need another firm to assign that function to.

000

Mayor Robertson stated we need to know how many more things are in plan check. What's the status? What's the workload?

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Mayor Pro Tem Scott asked how much is in plan check.

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City Manager Fuller stated there's a lot of work.

000

Mayor Robertson stated tremendous. And we have one person who is funneling it to the one organization that he works for.

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City Manager Fuller stated there should have been other firms on board to provide the plan check services.

Second Amendment to the Professional Services Agreement Between City of Rialto and Bureau Veritas North America, Inc. for Building Official Services Mayor Robertson stated whoever allowed it, we need to look at who let that happen. You didn't do it in the last three weeks. You've only been here three weeks.

000

City Manager Fuller stated correct.

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Mayor Pro Tem Scott stated somebody did it.

000

Council Member Perez agreed with Mayor Robertson and Mayor Pro Tem Scott encourages to explores other options.

0o0

City Manager Fuller stated if the contract is not extended, there will be no Building Official on staff.

000

Mayor Pro Tem Scott stated he doesn't have a problem with that. He has a problem with plan checks. Is everything in plan check with Veritas currently covered under this contract.

000

City Manager Fuller stated yes. They are the only firm providing plan check services. How much is currently there?

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Mr. Huyhn stated currently each week 5-10 claims need to have plan checked. The Building Official services contract requires some plan check inspection work conducted by the contract building official. When the other plan check contract firm's expire, the Interim Community Director discussed with me because there is a clause in the contract with assistance with plan check and inspection and that's what we took on until we finished the selection of the proposal for the new consultant.

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Mayor Pro Tem Scott asked if Mr. Hamilton had done that.

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Mr. Huyhn stated yes, at that time.

Second Amendment to the Professional Services Agreement Between City of Rialto and Bureau Veritas North America, Inc. for Building Official Services Mayor Pro Tem Scott stated we need to speak with the former Interim City Manager and ask why it was allowed to happen.

000

Mayor Robertson asked or did Mr. Hamilton inform the Interim City Manager.

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Mayor Pro Tem Scott recommended anything that is not currently in plan check at Veritas will go somewhere else tomorrow. New plan checks go with somebody that can be negotiated based on the four or five proposals. And we continue with the contract with Trang Huynh.

000

Mayor Robertson requested the total workload in the plan checks. How long they have been there, status, number of reviews. If more than two, it needs to return to the applicant.

000

Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 4-1 vote to Continue the contract with Trang Huynh until the new person is in place. Any remaining plan checks at Veritas currently not being plan checked will be collected tomorrow along with any new plan checks and sent to a new contract vendor selected by Mr. Fuller based on the four proposals in place. Mr. Fuller has the City Council's authorization to negotiate that on a short-term basis until all proposals are back before the City Council and enter into a contract.

Mayor Robertson voted no.

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Siri Champion, Senior Planner and Dave Barquist with Kimley-Horn & Associates presented staff report to Request City Council to Discuss the "Plan to House Our Rialto: 2021-2029 Housing Element Update" Presentation.

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Marven Norman with CCAEJ Center for Community Action and Environmental Justice expressed his support with the Plan. He wanted to make certain that the housing and zoning provided will not infringe any new injustices.

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Jeffrey Scott with Southwest Regional Council of Carpenters recommended hiring local, skilled and trained workforce because of its impact it can do on the community.

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TAB 5 Plan to House Our Rialto:2021-2029 Housing Element Update

Public Comment

Plan to House Our Rialto:2021-2029 Housing Element Update Ana Gonzalez with Center for Community Action and Environmental Justice, CCAEJ, complimented Siri Champion and her team for being accessible and engaging with the community. She is impressed with the site location but expressed concerns with low-income housing in close proximity to freeways. They look forward to continue working with Siri and providing input from the community. She thanked the City Council for taking this matter seriously and moving in the right direction.

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Maribel Nuñez provided a written statement and will be kept on file.

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Mayor Pro Tem Scott asked about more opportunities north of the 210 Freeway.

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Ms. Champion stated she will defer to Mr. Barquist. However, there are very specific State requirements for candidate sites. Rialto falls short north of the 210 Freeway.

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Mayor Pro Tem Scott asked what the criteria is.

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Mr. Barquist stated as part of the process of identification of sites, there's a Goldilocks provision. Not too big; not too small. There's an issue related to some of the sites that are in specific plan areas that are still in need in being brought into the City through the process of annexation. Some of those issues that will preclude that. We want to note that in the specific plan or other areas, for example, north of 210 Freeway, those are existing opportunities that are reflected in the policies that you have of available sites, so the sites that you see in the areas just are to get the remaining pieces of that.

Mr. Barquist stated that you still have opportunities of growth and residential above the 210 Freeway, but it's not a new or revised policy. It's existing policy that you have.

000

Mayor Pro Tem Scott stated he is not certain he understands what was communicated. He believes there are smaller sites north of the 210 Freeway. To say everything needs to happen south of the 210 Freeway sends a bad message to this community. He requested to look deeper north of the 210 Freeway.

He inquired about Opportunity Area 1 – Foothill Boulevard. Everything in the blue has the potential of being housing, correct?

0o0

Mr. Barquist stated it will be evaluated as a site for opportunity, yes.

Plan to House Our Rialto:2021-2029 Housing Element Update Mayor Pro Tem Scott asked if there is existing businesses along there, they will be rezoned as potential housing. Will there be an overlay?

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Mr. Barquist stated it can be done in both ways. There are considerations that you can have in the next interim period as you adopt zoning as you preserve existing foundational policy. Overlay adds on residential opportunities.

0o0

Mayor Pro Tem Scott asked if you own a business in a blue area, does the owner have an opportunity to build housing or keep it as commercial property.

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Ms. Champion stated the Foothill Boulevard Specific Plan currently reads, residential is allowed in all the blue parcels. The change for the housing element would be to increase the allowed density for projects that are smaller size.

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Mayor Pro Tem Scott stated that there is a perception in the community that these areas picked will be forced to build housing on them and eliminate what's currently on them. I want to make certain that's not accurate.

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Ms. Champion stated you are correct. That is not accurate.

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Mayor Pro Tem Scott stated that message is out in the community, and I have received many calls about it.

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Mayor Pro Tem Scott inquired about Opportunity Area 2 – North Riverside Avenue. If that property, a church, chose to sell it, somebody could build housing on it, but the church is not going to be forced to sell the property.

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Ms. Champion stated correct. The church would not be forced to sell the property. Existing uses would remain legal. They would not be expected to change. The reason churches were included in these opportunity sites, is that in other communities' churches are finding themselves having a difficult time with their revenues due to decreases in participation in local churches. Churches are choosing to add housing to their sites to have new constituencies to their sites.

Plan to House Our Rialto:2021-2029 Housing Element Update Mayor Pro Tem Scott stated on the west side where there is a water tank. Is it suggested we remove a water tank to build houses?

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Ms. Champion stated we will review and remove that.

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Mayor Pro Tem Scott inquired about Opportunity Area 3 & 4 – Gateway Specific Plan. He's not sure the property will accommodate 251 units. Developers are estimating 150 to 200 units. He asked if there is anything from keeping us from allowing a developer to build 150 housing units versus 251 units.

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Ms. Champion stated there is not. Mr. Barquist will expand on that. The potential to address is no net loss.

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Mr. Barquist stated that if there is a site identified for "X" number of units, you will have to make up for that deficiency somewhere else. At the point that it is approved, you have to demonstrate that the remaining sites that you have in your community can accommodate your unaccommodating need at that point in time.

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Mayor Pro Tem Scott inquired on Opportunity 5 – Central Area. There's an overlay over the Metrolink Station. Is there a possibility to build houses in the Metrolink Station parking lot.

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Ms. Champion, stated those are City owned.

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Mayor Pro Tem Scott stated I don't believe the parking lot is City owned. I think Metrolink owns the parking lot.

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Ms. Champion stated she will double check.

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Mayor Pro Tem Scott stated some properties may have been missed north of the tracks that are not indicated on the slide including Orange Avenue.

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Ms. Champion stated we will look into it. It is possible that some sites have been identified in the fifth cycle. The opportunity areas for discussion tonight are new opportunities.

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Plan to House Our Rialto:2021-2029 Housing Element Update Mayor Pro Tem Scott stated he is glad that was brought up.

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Council Member Trujillo asked how market forces play into the arena allocation.

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Ms. Champion stated the City is only responsible for creating opportunity for development. How it gets developed is up to the property owner.

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Mr. Barquist explained further market forces.

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Council Member Trujillo asked if there is a notification process to inform owners they're in an opportunity zone.

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Ms. Champion stated if it is the pleasure of the City Council to begin reaching out to property owners, they can. When the plan amendments take place, zone changes, at that point, the City will be notifying property owners.

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Council Member Trujillo stated he understands the challenges building north of the 210 Freeway, have those areas been captured in the previous plan.

000

Ms. Champion stated yes. That is the reason why the slide does not show north of the 210 Freeway in the five opportunity areas because we do have fifth cycle sites that are located north of the 210 Freeway.

Council Member Trujillo asked if shopping centers are magnets for opportunity zones.

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Ms. Champion stated it is a preference seen and feedback received from community members.

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Council Member Trujillo stated Baseline Avenue is also a business corridor but have not been seen as a focus of an opportunity zone.

Plan to House Our Rialto:2021-2029 Housing Element Update Ms. Champion stated they are open to any suggestions. It has not been recommended from the input received. Baseline Avenue does not have larger parcels or parcels likely to redevelop in the planning period. We can continue to study Baseline and return with more options if they become available.

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Council Member Perez asked once categories are identified and opportunities are created, will owners have a set category that they are supposed to be set for.

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Mr. Barquist stated yes and no. The State law provisions require to identify the assumed affordability when sites are identified. Ideas and assumptions are made at the forefront. The law cannot mandate developers affordability, but you still have to have a finding to makeup for that somewhere else.

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Council Member Carrizales asked about feasibility studies on housing within shopping centers.

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Ms. Champion stated there are examples that discuss repurposing older shopping centers. Foothill Boulevard is part of an idea that could happen. We can provide examples.

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Council Member Carrizales suggested renovating older shopping centers to create a new environment. He believed all the zones identified were great and thanked Ms. Champion for her work.

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City Attorney Vail clarified as it relates to opportunity zones. I want to make sure we are not talking about these areas becoming Federal opportunity zones that have preferable tax treatment. That's not what we're talking about, correct.

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Mayor Robertson stated they are not. The one on Valley would be some concerns because of the proximity to the freeway.

She asked for clarification on the 8,000 plus unit designation and its income level category distribution across the metrics.

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Ms. Champion stated that 8,000 plus number is distributed across all four different income categories from very low income to above moderate income, which is the full spectrum.

Plan to House Our Rialto:2021-2029 Housing Element Update Mayor Robertson requested to see what was captured in the fifth cycle. She inquired on Opportunity Area 2 – North Riverside Avenue and asked how does the coordination occur when you have old water infrastructure, and it is not under our jurisdiction since most of the water infrastructure north of Baseline Avenue is under the West Valley Water District. How do we coordinate when those projects happen? How do we ensure that they will address their old water infrastructure? We can only assure that our water infrastructure is addressed south of Baseline. We need to think about those things when you have multiple jurisdictions servicing the community.

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Ms. Champion stated there are two points in which to address the concerns. If we learn of infrastructure problems that would seem to be insurmountable that would make development within the next eight years infeasible, we could take that off the list. In terms of going through the development process, we would look at infrastructure during the entitlement process and coordinate utilities at that point in time.

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Mayor Robertson asked how many participants in the City from a 111,000 population have you had in this process. Ten? Five? One percent participation?

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Ms. Champion stated that for a project like this, cities across the State will clamor to obtain one percent participation. Over 500 residents were contacted directly by mail and 30 community-based organizations were invited. Approximately, 50-85 participants responded between surveys. More participation is expected from Spanish speaking participants who have not been as active.

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Mayor Robertson encouraged the community to participate in the workshop. She also asked about the "free parking" reference.

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Ms. Champion stated the "free parking" comment came from a range of comments from the participants from "Your Vision for the Future of Rialto". It was part of a wide-range of comments in that category that may not have been related.

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Council Member Trujillo stated in this area inter-generational homes with multiple families are common which make parking a problem. Was that taken into account when housing numbers were created?

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Mayor Pro Tem Scott stated no. It reduces the parking.

Plan to House Our Rialto:2021-2029 Housing Element Update

Council Member Trujillo stated everyone has cars. The public transportation is not the same as other bigger cities.

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Ms. Champion stated no. Proximity to transit is one the features aimed for intended to help resolve transportation issues.

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Mayor Pro Tem Scott believed property owners need to be contacted sooner than later and inform them of what is being suggested.

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Council Member Perez reiterated Mayor Pro Tem Scott's suggestion that the property owners need to be informed in a timely manner.

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Ms. Champion extended her assistance to the public to bring better understanding of the project.

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Mayor Robertson requested a distribution of those who have participated to be able to increase participants and make others aware of the conversation.

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TAB 6 Service Agreement with Soto Resources to Provide a Funding Research for Lake **Rialto Project and As-Needed Grant** Writing Assistance for Utility Authority and Utilities Division

Marcus Fuller, City Manager, presented staff report to Request City Council/Rialto Utility Authority Board to Approve the Professional Services Agreement with Soto Resources to Provide a Funding Research and Strategy Report for the Lake Rialto Project and As-Needed Grant Writing Assistance for Rialto Utility Authority and Utilities Division in an Amount Not to Exceed \$50,250.

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Council Member Trujillo asked if Waterwise Community Center is what was being thought of for the Lake Rialto Project.

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Mayor Robertson stated there is an opportunity for the facility we would be able to have. The San Joaquin Marsh is an area for an educational platform.

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Council Member Trujillo shared he has visited the Chino Basin Conservation District and envisions something like that with this project.

Service Agreement with Soto Resources to Provide a Funding Research for Lake Rialto Project and As-Needed Grant Writing Assistance for Utility Authority and Utilities Division

TAB 7

First Amendment to Final Construction for Rialto Microgrid Project – Phase 2

Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Approve the Professional Services Agreement with Soto Resources to Provide a Funding Research and Strategy Report for the Lake Rialto Project and As-Needed Grant Writing Assistance for Rialto Utility Authority and Utilities Division in an Amount Not to Exceed \$50,250.

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Marcus Fuller, City Manager, presented staff report to Request City Council/Rialto Utility Authority Board to Approve the First Amendment to the Final Construction Work Authorization for the Rialto Microgrid Project - Phase 2 to Include Expenditures in the Total Amount of \$185,751.86 for the Self Generation Incentive Program Application Deposits of \$83,792.50 for Energy Generation and \$101,959.36 for Energy Storage.

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Motion by Council Member Trujillo, second by Council Member Carrizales and carried by a 5-0 vote to Approve First Amendment to the Final Construction Work Authorization for the Rialto Microgrid Project -Phase 2 to Include Expenditures in the Total Amount of \$185,751.86 for the Self Generation Incentive Program Application Deposits of \$83,792.50 for Energy Generation and \$101,959.36 for Energy Storage.

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TAB 9

Service Contract with and the Issuance of annual Purchase Orders to Daniel's Tire Service for Goodyear Branded Tires and Parkhouse Tires, Inc Michael Tahan, Interim Director of Public Works, presented staff report to Request City Council to Approve a Multi-Year Services Contract with and the Issuance of Annual Purchase Orders to Daniel's Tire Service for Goodyear Branded Tires in the Not-to-Exceed Amount of \$55,000; and Approve a Multi-Year Services Contract with and the Issuance of Annual Purchase Orders to Parkhouse Tires, Inc. for Firestone Branded Tires in the Not-to-Exceed Amount of \$45,000 for City Fleet Vehicles, Police Department Vehicles and Fire Department Apparatus Tires, Related Products, and Related Roadside Services for Fiscal Years 2021-2022 through 2025-2026.

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Motion by Mayor Pro Tem Scott, second by Council Member Perez and carried by a 5-0 vote to Approve a Multi-Year Services Contract with and the Issuance of Annual Purchase Orders to Daniel's Tire Service for Goodyear Branded Tires in the Not-to-Exceed Amount of \$55,000; and Approve a Multi-Year Services Contract with and the Issuance of Annual Purchase Orders to Parkhouse Tires, Inc. for Firestone Branded Tires in the Not-to-Exceed Amount of \$45,000 for City Fleet Vehicles, Police Department Vehicles and Fire Department Apparatus Tires, Related Products, and Related Roadside Services for Fiscal Years 2021-2022 through 2025-2026.

TAB 10 Submission of Grant Application to the SBCTA for the Transportation Development ACT Article 3 Funds	Marcus Fuller, City Manager, presented staff report to Request City Council to Authorize the Submission of Grant Applications to the San Bernardino County Transportation Authority for the Transportation Development Act (TDA) Article 3 Funds.
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	Motion by Council Member Carrizales, second by Council Member Perez and carried by a 5-0 vote to Authorize the Submission of Grant Applications to the San Bernardino County Transportation Authority for the Transportation Development Act (TDA) Article 3 Funds.
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TAB 11 Authorize Annual Purchase Orders and Service Contracts for Various Materials, Supplies and Services for FY 2021-22	Marcus Fuller, City Manager, presented staff report to Request City Council to Approve and Authorize Annual Purchase Orders and Services Contracts for Various Materials, Supplies and Services for a "Not-to-Exceed" Total Amount for Fiscal Year 2021-22 as detailed herein.
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	Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Approve and Authorize Annual Purchase Orders and Services Contracts for Various Materials, Supplies and Services for a "Not-to-Exceed" Total Amount for Fiscal Year 2021-22 as detailed herein.
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TAB 12Authorize City Manager to enter intoService Agreements with ExecutiveRecruiting Firms	Marcus Fuller, City Manager, presented staff report to Request City Council to Authorize the City Manager to enter into Professional Services Agreements with Executive Recruiting Firms for a Not-to-Exceed amount of \$150,000.
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	Motion by Mayor Robertson, second by Mayor Pro Tem Scott and carried by a 5-0 vote to Authorize the City Manager to enter into Professional Services Agreements with Executive Recruiting Firms for a Not-to-Exceed amount of \$150,000.
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TAB 13 Authorize City Manager to Approve Professional Service Agreements to provide On-Call Professional Planning Services and Temporary Staffing in the Community Development Department	Marcus Fuller, City Manager, presented staff report to Request City Council to Authorize the City Manager to Approve Professional Services Agreements to provide On-Call Professional Planning Services and Temporary Staffing in the Community Development Department in a Cumulative Amount Not to Exceed \$200,000.
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	Motion by Mayor Pro Tem Scott, second by Council Member Perez and carried by a 5-0 vote to Approve Professional Services Agreements to provide On-Call Professional Planning Services and Temporary Staffing in the Community Development Department in a Cumulative Amount Not to Exceed \$200,000.

Service Agreement to ABM Industry Groups, LLC for Janitorial Services

Marcus Fuller, City Manager, presented staff report to Request City Council to Award a Services Agreement to ABM Industry Groups, LLC in the Amount of \$526,035 for Janitorial Services in Fiscal Year 2021/2022.

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Council Member Trujillo stated that while in the pandemic, the services were elevated to include disinfecting facilities.

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City Manager Fuller stated the budget includes it, but surface cleaning is not necessary.

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Interim Public Works Director Tahan stated currently surfaces are still being disinfected until we get direction. We can evaluate the budget on a monthly basis and eliminate the cost part of the whole contract. As things develop we can adjust it.

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Council Member Carrizales asked how much did the cost increase prior to COVID-19.

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Interim Public Works Director Tahan stated the monthly cost was \$31,000 before. We're almost in the same range because we eliminated some services. The contract was \$433,000 for the previous year.

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Council Member Carrizales asked about \$100,000 more.

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Interim Public Works Director Tahan stated that includes the \$5,655 for extra cleaning which is about \$67,860.00. So about \$25,000.

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Mayor Robertson complimented the janitorial evening staff. They're very professional. Overall good personality. I feel the janitorial staff know me better than our own employees.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Award a Services Agreement to ABM Industry Groups, LLC in the Amount of \$526,035 for Janitorial Services in Fiscal Year 2021/2022.

TAB 15 Continued Local Emergency COVID-19 Outbreak	City Manager Marcus Fuller 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. 000
	Council Member Trujillo gave an update on State COVID-19 funds. He reported \$625,000 which turned out to be \$1.2 million and approved in the last City budget. He stated the City will receive gain benefit in the near future.
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	Motion by Council Member Perez, second by Council Member Trujillo and carried by a 5-0 vote 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.
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<u>REPORTS</u>	The City Council gave their reports.
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ADJOURNMENT	Motion by Mayor Pro Tem Scott second by Council Member Perez and carried by a 5-0 vote to adjourn the City Council Meeting at 11:18 p.m.

MAYOR DEBORAH ROBERTSON

ATTEST:

Barbara R. McGu CITY CLERK BARBARA A. McGEE