



City of Rialto

Legislation Text

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For City Council Meeting [October 12, 2021]

TO: Honorable Mayor and City Council

FROM: Marcus Fuller, City Manager

Request City Council to Adopt **Resolution No.7781** to Amend Resolution No. 7766 to Identify the Positions of Building Official and Economic Development Manager as Exempt from the City's Competitive Service Pursuant to Rialto Municipal Code Section 2.50.060.

BACKGROUND

Rialto Municipal Code section 2.50.060 was amended by Ordinance No. 1660 on August 10, 2021, to refer to a list of positions identified by City Council and adopted by Resolution that are exempt from the competitive service and are not subject to Chapter 2.50 of the Rialto Municipal Code. On August 10, 2021, the City Council also adopted Resolution No. 7766 to officially list all of the positions considered exempt from the competitive service.

ANALYSIS/DISCUSSION

The City Manager recommends at this time that two positions be added to the list of "Management Unrepresented" exempt positions:

- Building Official
- Economic Development Manager

Both positions were recently funded by the City Council as part of the Fiscal Year 2021/2022 Budget and are vacant. Recruitment to fill these positions is underway, and these positions have been identified as exempt positions in the recruitments. This action will formally designate the positions as exempt from competitive service.

The Chief Building Official position is currently listed as one of the positions represented by the Rialto Mid-Management & Confidential Employee Association (RMMA) in Article 47 (Unit Definition) of the Memorandum of Understanding (MOU) with RMMA. However, this provision of the MOU does include reference to the fact that "Classifications within the bargaining unit may be changed, added or deleted based upon mutual agreement by the parties or action by the City Council."

The City Manager has notified RMMA of the intention to list the Building Official position as an exempt position given the scope of responsibilities administering the Building Division of the Community Development Department by this action of the City Council.

The Economic Development Manager position is not currently listed as one of the positions represented by the RMMA and may be designated as exempt.

ENVIRONMENTAL IMPACT:

The action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b) (5) of the CEQA Guidelines because the requested action is a governmental administrative activity that will not result in direct or indirect physical changes in the environment.

GENERAL PLAN CONSISTENCY:

This action is consistent with Guiding Principle 3A of the General Plan:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.

LEGAL REVIEW:

The City Attorney prepared and approved this staff report and resolution.

FINANCIAL IMPACT:

Operating Budget Impact

None.

Capital Improvement Budget Impact

None.

RECOMMENDATION:

Staff recommends that the City Council adopt the proposed Ordinance amending Rialto Municipal Code section 2.50.060 and adopt the Resolution to clarify the list detailing which positions are exempt from the competitive service and to simplify the process of updating such list in the future.