



# City of Rialto

## Legislation Text

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**File #:** 21-0725, **Version:** 1

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For City Council and Rialto Utility Authority Meeting [October 26, 2021]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manager

FROM: Thomas J. Crowley, P.E., Utilities Manager

Request City Council/Rialto Utility Authority Board to: (1) Approve the First Amendment to the Professional Services Agreement with Soto Resources to Provide Additional As-Needed Grant Writing Assistance for the Rialto Utility Authority and Utilities Division in an Additional Amount of \$100,000, for a Total Amount Not to Exceed \$150,250; and (2) Authorize the City Manager to Execute All Documents.

**(ACTION)**

### **BACKGROUND**

Soto Resources was awarded a Professional Services Agreement (PSA) on July 13, 2021, to provide a Funding Research and Strategy Report for the Lake Rialto Project and as-needed grant writing assistance to the Utilities Division.

### **ANALYSIS/DISCUSSION**

Move grant funding opportunities have been announced leading Staff to recommend increasing the budget available with Soto Resources' PSA by \$100,000 to include work on the following grant opportunities:

- One Water One Watershed Proposition 1 Round 2 Integrated Regional Water Management - Funding program benefiting the Santa Ana River Watershed area and region which includes Rialto. The City would like to pursue funds for the Lake Rialto and the Septic-to-Sewer projects through this program.
- United States Bureau of Reclamation's WaterSMART Grants: Water and Energy Efficiency Grants - Projects funded will conserve and use water more efficiently; increase the production of hydropower; mitigate conflict risk in areas at a high risk of future water conflict; and accomplish other benefits that contribute to water supply reliability in the western United States. The City believes the Advanced Metering Infrastructure project would be appropriate for this grant program.
- Urban and Multibenefit Drought Relief Funding Program - The Urban and Multibenefit Drought Relief Program is one of two Department of Water Resources' (DWR's) Drought Relief Grant Programs that offers financial assistance to address drought impacts through implementation of projects with multiple benefits. New water wells could be funded by this program.

Staff is proposing to amend the PSA with Soto Resources to increase the scope of work to provide additional services and assistance for the funding programs listed above. These services are described in the proposed PSA Amendment. The executed PSA is included as **Attachment 1**. The Proposed PSA Amendment is included as **Attachment 2**. The Disclosures Required by Persons or Entities Contracting with the City of Rialto form is included as **Attachment 3**.

### **ENVIRONMENTAL IMPACT**

This request is not a “Project” as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

### **GENERAL PLAN CONSISTENCY**

This action is consistent with Guiding Principle 3 in 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 has reviewed and supports the staff report and the PSA Amendment with Soto Resources. It should be noted that when staff presented the Soto Resources PSA to Council on July 13, 2021, Soto Resources requested, and the City agreed to allow, exemption from the following insurance policy requirements:

- Workers’ Compensation policy, since they are a sole proprietorship that does not have any employees,
- Automobile Policy, since they will not be operating or utilizing a motor vehicle in the performance of the Scope of Services, and
- Professional Liability Policy, since there is no professional license legally required to perform the Scope of Services.

All other insurance policy requirements remain in place.

### **FINANCIAL IMPACT**

#### **Operating Budget Impact**

Funds in the amount of \$100,000 are available in the Fiscal Year 2021/2022 budget, Account No. 680-500-7860-2011.

#### **Capital Improvement Budget Impact**

There is no Capital Improvement Budget impact with the proposed action.

#### **Licensing**

Soto Resources paid \$129 in Business License taxes and fees with the award of the PSA. Prior to execution of the PSA Amendment, the vendor shall pay an additional Business License tax amount of

\$100, as well as Administration and State fees that might be required.

**RECOMMENDATION**

Staff recommends that the City Council/Rialto Utility Authority Board:

- 1) Approve the First Amendment to the Professional Services Agreement with Soto Resources to Provide Additional As-Needed Grant Writing Assistance for the Rialto Utility Authority and Utilities Division in an Additional Amount of \$100,000, for a Total Amount Not to Exceed \$150,250 and
- 2) Authorize the City Manager to Execute all documents.