



# City of Rialto

## Legislation Text

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**File #:** 21-0780, **Version:** 1

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For City Council Meeting [November 9, 2021]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manager

FROM: Michael Tahan, Interim Public Works Director

Request City Council to: (1) Approve a Mutual Aid Agreement with San Bernardino County Public Works in an Amount Not To Exceed \$100,000 Annually for a Five Year Period Ending June 30, 2026; (2) Approve a Mutual Aid Agreement with San Bernardino County Flood Control District in an Amount Not To Exceed \$100,000 Annually for a Five Year Period Ending June 30, 2026; and (3) Authorize the City Manager to Execute All Documents.

**(ACTION)**

### **BACKGROUND**

The San Bernardino County Public Works Department and Flood Control District (Collectively the County) previously established mutual-aid agreements that allows the City and the County to provide mutual aid and maintenance assistance to each other for low value amounts and routine tasks across jurisdictional boundaries.

The County began discussing the concept of mutual aid after the floods in 2010. The flooding was widespread throughout the region and the County received requests from various cities to assist. Unfortunately, the County was unable to provide mutual aid due to lack of an agreement.

Using a mutual aid model established in Los Angeles and Orange Counties, the County developed its own mutual aid programs to supplement the larger Los Angeles and Orange County program.

On April 12, 2016, City Council approved mutual-aid agreements with the County for a total not to exceed amount of \$25,000 each per project or \$100,000 each during a fiscal year for Public Works and the Flood Control District. Both agreements expired in June 2019.

### **ANALYSIS/DISCUSSION**

The County has prepared new mutual-aid agreements with the City relating to Public Works and Flood Control. Entering into these agreements establishes a clear process to receive and/or provide reimbursable voluntary assistance during a declared emergency. Agencies providing aid will be reimbursed for their expenses by the requesting jurisdiction. Further, if the Governor or the President declares a disaster, agencies that have received assistance through this agreement can request reimbursement from the State and Federal government.

The agreements outline the following tasks related to the agreement with the Public Works Department and separately with the Flood Control District:

#### Public Works Department

- Tasks include the efficient maintenance, cleanup, or repair of road facilities and related appurtenances.
- Establishes a not-to-exceed contract amount of \$60,000 per project.
- Establishes a maximum annual contract amount of \$100,000
- The term of the contract will begin from the date the agreement is approved by both the City and County and will terminate on June 30, 2026

#### Flood Control District

- Tasks include the efficient maintenance, construction, or repair of flood control facilities, access roads, and related appurtenances.
- Establishes a not-to-exceed contract amount of \$45,000 per project.
- Establishes a maximum annual contract amount of \$100,000
- The term of the contract will begin from the date the agreement is approved by both the City and County and will terminate on June 30, 2026

The new agreements will enable mutual-aid coordination with the County. The proposed Agreement for Public Works is included as **Attachment 1** and for the Flood Control District is included as **Attachment 2**.

Staff recommends the City Council approve the mutual-aid agreements to allow either jurisdiction to assist each other during declared emergencies.

### **ENVIRONMENTAL IMPACT**

The proposed action 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 3A 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.*

Approval of this action also complies with the following City of Rialto General Plan Goal:

**Goal 3-6: Require that all developed areas within Rialto are adequately served with essential public services and infrastructure.**

### **LEGAL REVIEW**

The City Attorney has reviewed and supports this staff report and Mutual Aid Agreements with San

Bernardino County.

### **FINANCIAL IMPACT**

#### **Operating Budget Impact**

The Mutual Aid Agreement is for the not to exceed amount of \$60,000 per project, not to exceed a cumulative total of \$100,000 per fiscal year for the San Bernardino County Public Works Department and for the not to exceed amount of \$45,000 per project, not to exceed a cumulative total of \$100,000 per fiscal year for the San Bernardino County Flood Control District during a fiscal year.

Budget and funding source will be identified in the appropriate fund or funds if or when an emergency project or need is identified. Reimbursement of expenses would also be pursued from appropriate sources.

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

The proposed actions will not impact the Capital Improvement Budget.

#### **Licensing**

The proposed actions do not require payment of a Business License tax or Administration and State fees.

### **RECOMMENDATION**

Staff recommends that the City Council:

- (1) Approve a Mutual Aid Agreement with San Bernardino County Public Works in an Amount Not To Exceed \$100,000 Annually for a Five Year Period Ending June 30, 2026;
- (2) Approve a Mutual Aid Agreement with San Bernardino County Flood Control District in an Amount Not To Exceed \$100,000 Annually for a Five Year Period Ending June 30, 2026; and
- (3) Authorize the City Manager to Execute All Documents