

1 RESOLUTION NO. _____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 RIALTO, CALIFORNIA, APPROVING THE PUBLIC
5 IMPROVEMENT AGREEMENT FOR PUBLIC IMPROVEMENTS
6 ALONG CEDAR AVENUE AND DURST DRIVE RELATED TO THE
7 PRECISE PLAN OF DESIGN (PPD) 2021-0036 FOR THE
8 CONSTRUCTION OF A 201,039 SQUARE-FOOT INDUSTRIAL
9 COMMERCE BUILDING.

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11 **WHEREAS**, the City Planning Commission of the City of Rialto, at its meeting of August
12 31, 2022, approved PPD 2021-0036 subject to conditions; and

13 **WHEREAS**, AIREF Rialto Commerce Center LP, a Delaware limited partnership,
14 (hereinafter the "Developer"), has submitted a Public Improvement Agreement with security;
15 and

16 **WHEREAS**, not all public improvements have been completed by the Developer prior
17 to issuance of building permits, and the Developer has requested that the City enter into a
18 Public Improvement Agreement with the Developer to secure the cost of public improvements.

19 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY**
20 **FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

21 **Section 1:** Requisite conditions associated with PPD 2021-0036 have been satisfied
22 or supported with the necessary security for construction of improvements.

23 **Section 2:** The City Council hereby approves a Public Improvement Agreement for
24 PPD 2021-0036 with the Developer, AIREF Rialto Commerce Center LP, a Delaware limited
25 partnership, and accepts public improvement securities in conformance with the requirements
26 therein for public improvements. The City Manager is hereby authorized to execute the Public
27 Improvement Agreement on behalf of the City.

28 **Section 3:** The City Clerk shall cause to have recorded with the San Bernardino
County Recorder the Public Improvement Agreement.

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1 **WHEREFORE**, this Resolution is passed, approved and adopted this 22nd day of
2 August 2023.

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4 DEBORAH ROBERTSON, Mayor

5 **ATTEST:**

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8 BARBARA McGEE, City Clerk
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11 **APPROVED AS TO FORM:**
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16 ERIC S. VAIL City Attorney
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the 22nd day of August 2023.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing Resolution No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City
of Rialto this _____ day of _____, 2023.

BARBARA McGEE, CITY CLERK