

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

MINUTES

Tuesday, January 28, 2025

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, January 28, 2025.

0o0

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.

0o0

CALL TO ORDER

Mayor Baca called the meeting to order at 5:00 p.m.

0o0

The roll was called, and the following were present: Mayor Joe Baca, Mayor Pro Tem Ed Scott, Council Member Andy Carrizales, Council Member Karla Perez, and Council Member Edward Montoya Jr.

Also, present were Interim City Manager G. Michael Milhiser, City Attorney Eric Vail, and City Clerk Barbara McGee.

City Treasurer Edward Carrillo was absent.

0o0

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION

Pursuant to Government Code section 54956.9(d)(1)
Number of Matters: Two (2)

- Dominguez / Raya v. City of Rialto, et al.
USDC No. ED CVC 23-01790-ODW(SPx)
- Shepherd, et al. v. City of Rialto
SBSC Case No. CIVSB2311005

0o0

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL

ANTICIPATED LITIGATION

Pursuant to Government Code section 54956.9(d)(2)

Significant Exposure to Litigation

Number of Matters: Fourteen (14)

- BRADY - Industrial Disability Retirement
- BROWNLEE - Workers Comp Claim
- COMPTON - Workers Comp Claim
- CUELLAR - Workers Comp Claim
- DEANDA - Workers Comp Claim
- DE LA ROSA - Workers Comp Claim
- JENSEN - Workers Comp Claim
- LORE - Workers Comp Claim
- MUIR - Workers Comp Claim
- NAKAMURA - Workers Comp Claim
- PEEL - Workers Comp Claim
- RICE - Workers Comp Claim
- RUSSO - Workers Comp Claim
- Rialto Springs, LLC - Threat of Litigation

3. PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code section 54957(b)

Two (2) positions:

Title: City Manager

Title: Acting/Interim City Manager

0o0

Motion by Council Member Perez and second by Council Member Carrizales and by carried by a 5-0 vote to go into Closed Session.

0o0

The City Council went into Closed Session at 5:02 p.m.

0o0

The City Council returned from Closed Session at 6:20 p.m.

0o0

CALL TO ORDER

Mayor Joe Baca called the meeting to order at 6:30 p.m.

0o0

OPEN SESSION

The roll was called, and the following were present: Mayor Joe Baca, Mayor Pro Tem Ed Scott, Council Member Andy Carrizales, Council Member Karla Perez, and Council Member Edward Montoya Jr.

Also, present were Interim City Manager G. Michael Milhiser, City Attorney Eric Vail, City Treasurer Edward Carrillo, and City Clerk Barbara McGee.

0o0

City Attorney's Report on Closed Session

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code section 54956.9(d)(1)

Number of Matters: Two (2)

- Dominguez / Raya v. City of Rialto, et al.
USDC No. ED CVC 23-01790-ODW(SPx)
- Shepherd, et al. v. City of Rialto
SBSC Case No. CIVSB2311005

The City Council heard briefings. They gave direction to the City Attorney. There is no other reportable action.

2. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION

Pursuant to Government Code section 54956.9(d)(2)

Significant Exposure to Litigation

Number of Matters: Fourteen (14)

- BRADY - Industrial Disability Retirement
- BROWNLEE - Workers Comp Claim
- COMPTON - Workers Comp Claim
- CUELLAR - Workers Comp Claim
- DEANDA - Workers Comp Claim
- DE LA ROSA - Workers Comp Claim
- JENSEN - Workers Comp Claim
- LORE - Workers Comp Claim
- MUIR - Workers Comp Claim
- NAKAMURA - Workers Comp Claim
- PEEL - Workers Comp Claim
- RICE - Workers Comp Claim
- RUSSO - Workers Comp Claim
- Rialto Springs, LLC - Threat of Litigation

The City Council gave direction to Special Counsel. There is no other reportable action.

The City Council gave direction to the City Attorney on the Rialto Springs, LLC – Threat of litigation Item. There is no other reportable action.

3. PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Government Code section 54957(b)

Two (2) positions:

Title: City Manager

Title: Acting/Interim City Manager

The City Attorney announced that the City Council appointed Assistant City Manager, Tanya Williams as the Acting City Manager as of January 29, 2025.

0o0

Pledge of Allegiance and Invocation

Council Member Carrizales led the pledge of allegiance.

0o0

Pastor Victor Lopez – Calvary Chapel Rialto.

0o0

PRESENTATIONS AND PROCLAMATIONS

None.

0o0

ORAL COMMUNICATIONS

Frank Atry addressed the City Council related to the lack of response from the City Manager’s office. He stated the Police Department does not divulge full names. If full name is not provided, he will make a public records request.

0o0

Chris Bedkee introduced himself. He informed the City Council he is the new Rialto Chamber of Commerce President. The Chamber has returned and are active and interested in promoting new events and new businesses to the City and assisting existing businesses.

0o0

Christopher Cota addressed the City Council related to the concerns, regarding the lack of maintenance and proper lighting and cameras at Margaret Todd Park.

0o0

Mayor Baca thanked the Rialto Fire and Police Department for their response and safety of the community.

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

Council Member Carrizales asked to pull Item F.1 for a separate discussion.

0o0

F.1 Adopt Resolution No. 8316 for the process of selecting a Mayor Pro Tempore

Council Member Carrizales stated that for many years, the City Council has elected a Mayor Pro Tem and asked if he has the support of the City Council to remain that way.

He made a motion to not adopt Resolution No. 8316 and keep the process of selecting a Mayor Pro Tem as is.

0o0

Mayor Baca stated that the reason the Item was brought up was because it would be fair for members of the City Council to step in and become Mayor Pro Tem after serving two years’ experience as a Council Member. It allows others to serve in that capacity.

0o0

F.1 Adopt Resolution No. 8316 for the process of selecting a Mayor Pro Tempore

Motion by Council Member Carrizales, second by Council Member Montoya, Jr. and carried by a 3-2 vote to keep the process as is in the process of selecting a Mayor Pro Tempore. Resolution No. 8316 does not pass.

The vote was AYES: Mayor Pro Tem Scott, Council Member Carrizales, Council Member Montoya.

NOES: Mayo Baca, Council Member Perez. ABSTAIN: None. ABSENT: None.

0o0

City Attorney Vail stated the motion passes and the City Council will continue to select Mayor Pro Tem as in the past.

0o0

CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

0o0

B. APPROVAL OF WARRANT RESOLUTIONS

B.1 Warrant Resolution No. 26

B.2 Warrant Resolution No. 27

0o0

C. APPROVAL OF MINUTES

C.1 Regular City Council Minutes – January 7, 2025

C.2 Regular City Council Minutes – January 14, 2025

0o0

D. CLAIMS AGAINST THE CITY – FOR INFORMATION ONLY

- Omar Sandoval
- Linda Rodriguez
- Ademir Sandoval, a minor
- Alan Madero-Sandoval
- Oscar Madero-Sandoval

0o0

CONSENT CALENDAR

E. SET PUBLIC HEARING

E.1 Request City Council to 1) Set a Public Hearing for **February 25, 2025**, to solicit input on Housing and Community Development needs concerning the five-year 2025-2029 Consolidated Plan for the allocation of the Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds, and the Analysis of Impediments to Fair Housing Choice; and 2) Set a Public Hearing for April 22, 2025, for the adoption of the 2025-2029 Consolidated Plan and the adoption of the 2025-2026 One-Year Action Plan.

E.2 Request City Council to Set a Public Hearing for **February 25, 2025**, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 3rd Quarter of the 2024 Calendar Year.

0o0

F. MISCELLANEOUS

F.1 Request City Council to adopt **Resolution No. 8316** for the process of selecting a mayor pro tempore. **(Item Failed)**

F.2 Approve the Reclassification of the Accounting Technician Position to Buyer Within the Purchasing Division of the Finance Department.

F.3 Consideration to Amend the Full-Time Employee (FTE) Allocation for the Rialto Fire Department to Add Two Paramedic and Two EMT Positions to Backfill Long-Term Leave of Absences.

F.4 Request City Council to Receive and File for Future Audit the Treasurer’s Investment Report as of November 30,2024

0o0

Motion by Mayor Pro Tem Scott, second by Council Member Perez and carried by a 5-0 vote to approve the Consent Calendar.

0o0

NEW BUSINESS

TAB 1

Adopt Resolution No. 8317 to Uphold the Appeal of the Planning Commission’s Decision to Approve Tentative Parcel Map No. 2023-0001, Conditional Development Permit No. 2023-0011

Eric Vail, City Attorney, presented staff report to request the City Council to adopt **Resolution No. 8317** to Uphold the Appeal of the Planning Commission’s Decision to Approve **Tentative Parcel Map No. 2023-0001, Conditional Development Permit No. 2023-0011, Precise Plan of Design No. 2023-0018**, and the Addendum to the Environmental Impact Report for the Rialto Airport Specific Plan (**Environmental Assessment Review No. 2023-0022**) or take other action as they deem necessary.

0o0

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission's
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

Public Comment

Juan Serrato addressed the City Council in opposition to uphold the Appeal of the Planning Commission.

0o0

Jose Garcia addressed the City Council in opposition to uphold the Appeal of the Planning Commission.

0o0

Paige Gosney addressed the City Council in opposition to uphold the Appeal of the Planning Commission. He requested that the City Council act on the will of the Appellant and the residents of that neighborhood who through an agreement will address the community's concerns which would be to have the appeal be withdrawn. Since the Appellant withdrew the appeal, he requests that the City Council take formal action to rescind the prior vote and act on the will of the Appellant and to deny the appeal and refuse to adopt Resolution No. 8317.

0o0

Dana Privitt Gosney addressed the City Council to make comments on the Item's addendum's EIR and the impacts associated with the proposed project.

0o0

Stephane Wandel addressed the City Council in opposition to uphold the Appeal of the Planning Commission. He requests that the City Council allow them to proceed with the project by rescinding the prior vote.

0o0

City Attorney Vail stated that on November 12, 2024, the City Council unanimously passed a motion that was seconded to uphold the appeal and deny the project. That was, in fact, a final action.

Tonight's action is an ancillary resolution that provides supporting information for that final decision. It is important because if a process is ongoing and somebody files a withdrawal of their appeal, that can take away the ability. In this case, we have a rare instance where the City Council took final action and a month later, we had a withdraw. That withdrawal is not effective to nullify the City Council's decision. As a adjudicatory body, you made the final decision. We are in play tonight with the City Council's final action. The fact that we're adopting a resolution that has explanatory information does not obviate your original action.

Can we rely on data that is on the addendum? Of course. The addendum is, in fact, a document prepared for the governing body to help identify if there are impacts on the environment on the project. The conclusions do not have to be accepted. You can look at the data. The resolution provided has data, facts, that support your conclusion that there were impacts that were detrimental to the community and those are just being memorialized.

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission's
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

City Attorney Vail stated that the City Council can move forward with the denial tonight. The resolution will support that. You've taken final action. Your decision hasn't been obviated by the withdraw of the appeal. The City Council still maintains their legislative and adjudicatory ability to rescind your action should you choose to do that. Should you choose to do that, I can explain how to go about doing it.

Right now, what is on the table is the recommended upholding of the appeal and a denial.

0o0

Mayor Pro Tem Scott emphasized that tonight's Item is not to approve this project. The project was previously denied as a result of an appeal presented by CCAEJ, Ms. Ana Gonzalez.

0o0

City Attorney Vail stated that is correct.

0o0

Mayor Pro Tem Scott clarified that tonight's function is to strictly approve the resolution which upheld her appeal.

0o0

City Attorney Vail stated that is correct.

0o0

Mayor Pro Tem Scott asked if the Applicant so desired to bring the project back to the City, they could bring it back – and since it is substantially different than it was prior -- to the Planning Department, the Planning Commission to review again.

0o0

City Attorney Vail stated that the Applicant would be able to file a new application with the Planning Department.

0o0

Mayor Pro Tem Scott asked who is the staff member that is handling this matter.

He stated he has a question regarding the settlement release and community benefit agreement and asked if Mr. Casey was involved in the negotiation agreement.

0o0

Daniel Case, Senior Planner, stated no he was not.

0o0

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission’s
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

Mayor Pro Tem Scott asked if anyone in the City was involved in the negotiation of this agreement.

0o0

Mr. Casey stated not to his knowledge.

0o0

Mayor Pro Tem Scott asked if he is familiar with this agreement.

0o0

Mr. Casey stated he has not gone through the agreement.

0o0

Mayor Pro Tem Scott asked if Kimley-Horn have a contract with the City for other work.

0o0

Mr. Casey stated yes, they are doing some work for the City.

0o0

Mayor Pro Tem Scott asked what work is that related to.

0o0

Mr. Casey stated they are currently preparing an environmental impact report for a project on Merrill Avenue and Ayala Avenue in the Renaissance Specific Plan.

0o0

Mayor Pro Tem Scott asked for the City of Rialto.

0o0

Mr. Casey stated for the City of Rialto.

0o0

Mayor Pro Tem Scott asked if they also work for developers.

0o0

Mr. Casey stated correct.

0o0

Mayor Pro Tem Scott asked if the Planning Department direct them or direct developers to use Kimley-Horn.

0o0

Mr. Casey stated Planning Department does not make any recommendations to any consultant.

0o0

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission's
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

Mayor Pro Tem Scott asked if it is his opinion that there is any conflict of interest.

0o0

Mr. Casey stated he does not have an opinion one way or the other.

0o0

Mayor Pro Tem Scott asked who prepared the agreement.

He asked Mr. Wandel questions related to the agreement.

He asked Mr. Wandel if the City was involved in the negotiation of the agreement.

0o0

Mr. Wandel stated that the City was not involved in the negotiation. The City participated in coordinating the meetings between parties in the Planning Department Conference rooms and facilitated a few conversations with the Appellant and the property owners.

0o0

Mayor Pro Tem Scott asked if it was done at the City.

0o0

Mr. Wandel stated yes, of course. In the Planning conference room.

0o0

Mayor Pro Tem Scott asked what would make him come to the conclusion that Ms. Gonzalez with CCAEJ could drop her appeal after the City Council upheld it and negotiate a community benefit agreement in and around the City of Rialto.

0o0

Mr. Wandel stated he never tried to supplement approval powers from the City. Many discussions prior to the November vote, he shared that they had worked with the community in the past. The effort continued to reach a resolution for the neighbor's concerns.

0o0

Mayor Pro Tem Scott asked if he had a number of meetings with the neighbors.

0o0

Mr. Wandel stated correct.

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission’s
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

Mayor Pro Tem Scott asked if he knew the number that were opposed to the project.

0o0

Mr. Wandel stated total of five or six.

0o0

Mayor Pro Tem Scott asked if the number 19 sound familiar.

0o0

Mr. Wandel stated he is not familiar.

0o0

Mayor Pro Tem Scott read the report and then asked what portion was removed from the Item.

0o0

Mr. Wandel stated Item 29 of the agreement which provided the mitigation funds for the residents who had specific concerns about noise and dust to improve their property windows. That was intent of Section 29. There were concerns around the optics in connection to that, then the team spoke with the Appellant and concluded that there are plenty of benefits to the community without the mitigation fund.

0o0

Mayor Pro Tem Scott asked what the dollar amount for the mitigation.

0o0

Mr. Wandel stated it was a total of \$150,000 as a reimbursement for specific property improvements

0o0

Mayor Pro Tem Scott asked if that was supposed to be divided among how many residents.

0o0

Mr. Wandel stated anybody who asked and can demonstrate they had concerns.

0o0

Mayor Pro Tem Scott asked if anyone who lives within a certain number of feet from project qualify.

0o0

Mr. Wandel stated residents living within 150 feet. No individual was specified.

0o0

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission's
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

Mayor Pro Tem Scott asked if that was available only to residents who opposed the project.

0o0

Mr. Wandel stated he is not aware of everyone who spoke to this project. He can't answer the question.

0o0

Mayor Pro Tem Scott asked if a resident supported the project, could they have the opportunity to obtain money for home improvements.

0o0

Mr. Wandel stated they would have had the opportunity to make a request.

0o0

Mayor Pro Tem Scott asked how many residents are within 500 feet.

0o0

Mr. Wandel stated he is not certain.

0o0

Mayor Pro Tem Scott stated it is much more than eight or 19.

0o0

Mr. Wandel stated he is certain Mayor Pro Tem is correct.

0o0

Mayor Pro Tem Scott asked why the mitigation fund was removed.

0o0

Mr. Wandel stated they were informed that some people were concerned about the optics. That never was the intent. The entire agreement was intended in good faith to work with the residents to address all the concerns. They felt there were plenty of things in the agreement, and it was removed.

0o0

Mayor Pro Tem Scott asked now that it has been removed, it is now no longer your intent to provide any residents with any dollar amount.

0o0

Mr. Wandel stated that at the moment it is not part of the agreement. Should the project be allowed to move forward, they will listen to residents who have concerns.

0o0

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission's
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

Mayor Pro Tem Scott clarified that although it is not in the agreement, it is intended to still provide funds.

0o0

Mr. Wandel stated he does not believe that is what he said. They will always listen to the neighbors is what he believes to have said.

0o0

Mayor Pro Tem Scott stated that there have been members of the community at the last City Council meeting that alleged that this City Council was having backdoor meetings with staff and the applicant and negotiating this agreement.

He asked Mr. Casey if to his knowledge that ever occur.

0o0

Mr. Casey stated no, never occurred.

0o0

Mayor Pro Tem Scott asked if anyone in this City Council in any meeting met with Ms. Gonzales, staff, or the Applicant.

0o0

Mr. Casey stated no. He is not aware.

0o0

Mayor Baca stated to Mr. Wandel that he understands that he is trying to assist the residents, but that it would have been better to have approached City staff or City Council.

0o0

Mr. Wandel appreciated Mayor Baca's concern. The intent was never to go around the City Council. The City Council received multiple emails with updates indicating that these discussions were taking place. He was made aware that senior staff was briefing the City Council. The emails sent were to keep the City Council informed so there would be no surprise. It was all about making good of a commitment made to the City Council on November 12 and before.

0o0

Mayor Baca asked if it would be more appropriate to resubmit and start from Ground 1 so that everyone is involved to determine what is best for the whole community versus the current action. The City Council would uphold the appeal with an opportunity to reapply.

0o0

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission's
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

City Attorney Vail stated it would depend on the nature of the submittal as opposed to the exact same thing.

0o0

Mr. Wandel stated that presenting another project would be extremely difficult due to AB 98. The Board would not agree to a project that makes no financial sense.

0o0

Mayor Baca stated the City Council has a responsibility to uphold the law and do not plan on circumventing the law.

0o0

Mayor Pro Tem Scott stated he is concerned that there were a number of residents that came into this Council Chambers who opposed this project. They were purported to be represented by CCAEJ and the City Council upheld the appeal of CCAEJ for obvious reasons.

Once upheld, CCAEJ, goes around us and negotiates a settlement to this issue in exchange for a number of items which included amounts of money to residents including the ones that opposed the project. I am bothered by this. To my knowledge, the City has never had an outside environmental organization negotiate community benefits for the City.

0o0

City Attorney Vail stated not to his knowledge.

0o0

Mayor Pro Tem Scott stated that the City paid \$150,000 to CCAEJ's lawyer after filing a lawsuit against the City on a housing element. It's not the first time we settle a lawsuit with CCAEJ. They are now coming behind the City Council and offering money to people to not object to a project. That is simply not right.

0o0

(Audience interruption)

0o0

Mayor Baca called meeting to order.

0o0

Mayor Pro Tem Scott made a motion to approve Resolution No. 8317.

0o0

Council Member Perez asked about the other options.

0o0

**TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission’s
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011**

City Attorney Vail stated one option would be to rescind its final action it took in November 2024 and order the modified project that has been presented in the settlement agreement in front of you to go back to the Planning Commission for further consideration.

0o0

Council Member Perez asked if for those Council Members who were not present for that decision would not be able to act on rescinding.

0o0

City Attorney Vail stated that they would be able to take action on that decision. The information has been reviewed.

0o0

Motion by Mayor Pro Tem Scott and second by Council Member Carrizales and carried by a 4-1 vote to Approve Resolution No. 8317 to uphold the Appeal of the Planning Commission’s Decision.

The vote was AYES: Mayor Baca, Mayor Pro Tem Scott, Council Member Carrizales, Council Member Montoya.

NOES: Council Member Perez. ABSTAIN: None. ABSENT: None.

0o0

**TAB 2
Adopt Urgency Ordinance No. 1697
Temporary Moratorium**

Eric Vail, City Attorney, presented staff report to request the City Council to ADOPT **URGENCY ORDINANCE NO. 1697**, ENTITLED, “AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, DECLARING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, MODIFICATION, EXPANSION, OR INTENSIFICATION OF “INDOOR STORAGE FACILITIES”, WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF RIALTO”.

0o0

Mayor Baca stated not everyone had an opportunity to review the amended ordinance. He had an opportunity to read what was proposed and what the ordinance called for and referenced the report.

He believes the Item should be tabled to give the City Council and the EDC time to review then return and take action.

0o0

Mayor Pro Tem Scott stated it is his intention to move forward with Item tonight, but important to communicate to the public why a moratorium is considered which is to address the inconsistent zoning between industrial zoning and residential zoning.

He showed the public a few picture slides to explain.

0o0

TAB 1
Adopt Resolution No. 8317 to Uphold the
Appeal of the Planning Commission’s
Decision to Approve Tentative Parcel
Map No. 2023-0001, Conditional
Development Permit No. 2023-0011

Public Comment

City Attorney Vail clarified that the City Council is not locked into the language even if adopted tonight. After 45 days, it can be sent to EDC, recommend tweaks and make necessary modifications when it returns for adoption.

0o0

Amy Smith addressed the City Council in opposition of Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Eli Gonzalez addressed the City Council in opposition of the Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Omar Cobian addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Andy De Leon addressed the City Council in opposition to Urgency Ordinance No.1697 Temporary Moratorium.

0o0

Benito Medina addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Andrew Guzman addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Miguel Guzman addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Sebastian Ybarra addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Pedro Vazquez addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

TAB 2
Adopt Urgency Ordinance No. 1697
Temporary Moratorium

Public Comment

Robert Lukan addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Jayson Baiz addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Orlando Garcia addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Jose Mungia addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Julie Luu addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

David Weaver addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Victor Lopez addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Paige Gosney addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Nathanial Orozco addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Thomas Ruiz addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Farah addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

TAB 2
Adopt Urgency Ordinance No. 1697
Temporary Moratorium

Alex Artiaga addressed the City Council in opposition to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Public Comment

Yesenia Ramos addressed the City Council in support to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Joaquin Castillejos addressed the City Council in support to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Ana Gonzalez addressed the City Council in support to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Charmaine Chapman-Morehead addressed the City Council in support to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Brenda Parker addressed the City Council in support to Urgency Ordinance No. 1697 Temporary Moratorium.

0o0

Mayor Pro Tem Scott emphasized that the building shown was not voted on by this City Council. That project was in an area that was properly zoned for industrial although it was up against residential.

It was approved by staff and recommended by the Planning Commission for approval. The Planning Commission approved that project. It never came to the City Council.

City staff needs to take a look at the zoning and projects in this City. Business, labor and residential need to be protected to ensure they are not infringing on each other.

We support labor in this community and appreciate and thank you for your service to our community. Staff and Planning Commission have to stop approving projects that are not good projects that infringe on neighborhoods. All of these properties zoned "industrial" do not come to the City Council as well as "residential" that never came to the City Council that is being built where it shouldn't be built. It goes both ways.

The real purpose for this ordinance was a temporary pause to have staff members to take a look at zoning to determine what can be fixed and make better in the community. It is not to stop construction or warehouses. It is simply to take a look and do a better job at what we're doing. These projects come through fast, they pass by staff and the Planning Commission. He's encouraged staff to look at a project before approving. To go see what it's going to impact.

0o0

TAB 2
Adopt Urgency Ordinance No. 1697
Temporary Moratorium

Mayor Pro Tem Scott stated that the project on the screen is horrendous. It should never have been built.

It's unfortunate that we have this here tonight because developers stirred up people because they thought we wanted to stop their projects. We don't want to stop their projects. We just want our staff to take a look at the zoning in this City and fix what's wrong. We want the Planning Commission to start thinking before they approve, and the City Council needs to do the same thing.

It is unfortunate that the Ordinance was written so badly and that it was totally taken out of context of what we want to accomplish in the community. We need to take a look at our zoning in the City. We need to stop building warehouses in residential areas. I understand AB 98 addresses all of that. Rialto has always taken care of its own issues. We passed the first "Good Neighbor" policy in this area because we wanted things to be done right and we've benefitted from that.

The 30-year old EIRs are ridiculous. We need consultants to care about our community too not just consultants that care about developers. The existing conflict in this City needs to come to an end.

0o0

Mayor Baca stated he agrees with Mayor Pro Tem Scott related to creating an acceptable Ordinance in reference to any future warehouses needed built in the City of Rialto.

He supports the moratorium. The moratorium needs to be done with specific guidelines and the impact it will have on the City. Both sides present good arguments. In the future, the City Council needs to make certain all have community benefits and labor agreements and have a fair process that is reviewed and benefit the City and not impact some residents. He hopes the City Council will consider whatever action is taken. He's in favor of a moratorium. He would have preferred to have studied and evaluated and come back with a recommendation.

0o0

Council Member Perez asked if the current moratorium in place can be amended.

0o0

City Attorney Vail stated there is no moratorium in place.

0o0

Mayor Baca stated that the only one presented is the one in the binders. It was not completely written. There were amendments to it.

0o0

City Attorney Vail stated there were amendments after binding.

He stated there had been a moratorium in the past. Through the moratorium process, the City adopted additional regulations and restrictions which are in the code now.

0o0

**TAB 2
Adopt Urgency Ordinance No. 1697
Temporary Moratorium**

Motion by Mayor Pro Tem Scott, second by Council Member Montoya, Jr. and carried by a 4-1 vote to ADOPT **URGENCY ORDINANCE NO. 1697**, ENTITLED, "AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, DECLARING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, MODIFICATION, EXPANSION, OR INTENSIFICATION OF "INDOOR STORAGE FACILITIES", WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF RIALTO" for 45 days. Staff will return with zoning changes required to remedy the current issues.

The vote was AYES: Mayor Baca, Mayor Pro Tem Scott, Council Member Perez and Council Member Montoya, Jr.

NOES: Council Member Carrizales. ABSTAIN: None. ABSENT: None.

0o0

URGENCY ORDINANCE NO. 1697

ENTITLED, "AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, DECLARING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, MODIFICATION, EXPANSION, OR INTENSIFICATION OF "INDOOR STORAGE FACILITIES", WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF RIALTO.

0o0

**TAB 3
Approve a Ford Transit Passenger Van,
Two Ford Transit Cargo Vans and three
Ford F-350 Super Cab Trucks with
Animal Control Body's from Frontier
Ford; Purchase of Equipment
Modifications, and Installation from 10-8
Retrofit in the amount of \$94,1963.71**

Mark Kling, Police Chief, presented staff report to Request City Council to: Approve (1) the Purchase of One (1) Ford Transit Passenger Van Two (2) Ford Transit Cargo Vans, and Three (3) Ford F-350 Super Cab Trucks with Animal Control Body's from Frontier Ford, in the Amount of \$578,527.84; (2) the Purchase of Equipment, Modifications, and Installation from 10-8 Retrofit in the Amount of \$94,193.71 ; and (3) Authorize the Interim City Manager or his Designee to Execute all Documents.

0o0

Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to approve (1) the Purchase of One (1) Ford Transit Passenger Van Two (2) Ford Transit Cargo Vans, and Three (3) Ford F-350 Super Cab Trucks with Animal Control Body's from Frontier Ford, in the Amount of \$578,527.84; (2) the Purchase of Equipment, Modifications, and Installation from 10-8 Retrofit in the Amount of \$94,193.71 ; and (3) Authorize the Interim City Manager or his Designee to Execute all Documents.

0o0

**TAB 4
Approve Purchase Thirty (30) Getac K120 Rugged Tablet Mobile Data Computers, Forty (40) Mobile Vehicle Docking Mounts, and All Related Hardware and Keyboards from DuraTech USA, Inc.**

Mark Kling, Police Chief, presented staff report to Request City Council to (1) Approve the Purchase of Thirty (30) Getac K120 Rugged Tablet Mobile Data Computers, Forty (40) Mobile Vehicle Docking Mounts, and All Related Hardware and Keyboards from DuraTech USA, Inc. in the Amount of \$224,874.08; (2) Authorize the Interim City Manager or Designee to Execute all documents

0o0

Motion by Council Member Carrizales, second by Mayor Pro Tem Scott and carried by a 5-0 vote to approve 1) Approve the Purchase of Thirty (30) Getac K120 Rugged Tablet Mobile Data Computers, Forty (40) Mobile Vehicle Docking Mounts, and All Related Hardware and Keyboards from DuraTech USA, Inc. in the Amount of \$224,874.08; (2) Authorize the Interim City Manager or Designee to Execute all documents.

0o0

**TAB 5
Approve (1) the Sixty-Six (66) Month Contract for the FUSUS Real-Time Crime Center Platform with AXON Enterprise, Inc.**

Mark Kling, Police Chief, presented staff report to Request City Council to Approve (1) the Sixty-Six (66) Month Contract for the FUSUS Real-Time Crime Center Platform with AXON Enterprise, Inc., Formerly Known as Taser International, in the Amount of \$431,000.00, and (2) Authorize the Interim City Manager or Designee to Execute all Documents.

0o0

Motion by Mayor Pro Tem Scott, second by Council Member Perez and carried by a 5-0 vote to Approve (1) the Sixty-Six (66) Month Contract for the FUSUS Real-Time Crime Center Platform with AXON Enterprise, Inc., Formerly Known as Taser International, in the Amount of \$431,000.00, and (2) Authorize the Interim City Manager or Designee to Execute all Documents.

0o0

Police Department

Police Chief Kling gave the Department report.

Fire Department

Fire Chief Park gave the Department report.

0o0

Community Services

Fire Chief Park gave the Department report on behalf of Community Services Director Alvarado.

0o0

Public Works

Director of Public Works Sullivan gave the Department report.

Community Development

Director or Community Development Cataldi gave the Department report.

REPORTS

Council Members gave their report.

0o0

ADJOURNMENT

Motion by Council Member Perez, second by Council Member Carrizales and carried by a 5-0 vote to adjourn the City Council Meeting at 9:10 p.m.

0o0



MAYOR JOE BACA

ATTEST:



CITY CLERK BARBARA A. MCGEE