

**REGULAR MEETING  
of the  
CITY OF RIALTO**

**CITY COUNCIL  
City of Rialto, acting as Successor Agency to the  
Redevelopment Agency**

**MINUTES  
Tuesday, May 9, 2023**

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, May 9, 2023.

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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.

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**CALL TO ORDER**

Mayor Pro Tem Carrizales called the meeting to order at 5:00 p.m.

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The roll was called, and the following were present: Mayor Pro Tem Andy Carrizales, Council Member Ed Scott, Council Member Rafael Trujillo, and Council Member Joe Baca.

Also, present were Acting City Manager Arron Brown, City Attorney Eric Vail, and City Clerk Barbara McGee.

Mayor Deborah Robertson and City Treasurer Edward Carrillo were absent.

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**1. CONFERENCE WITH LEGAL COUNSEL –  
EXISTING LITIGATION**

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

One (1) matter:

- (1) McCullough v. City of Rialto et al.,  
USDC Case No.5:22-cv-00600

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## **CLOSED SESSION**

### 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation Pursuant to Government  
Code section 54956.9(d)(2)

Number of matters: Five (5) Matters

- WC - Claim No. 2192900029 (Haslam-Wright)
- WC - Claim No. SAC0000181299 (Hodge)
- WC - Claim No. 2192900076 (Lichtenberger)
- WC - Claim No. 2162900010 (Tucker)
- IDR (Hauenstein)

### 3. ITEM OF SUBSEQUENT NEED

#### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code section 54956.8

Property: APNs 0264-211-15 & 17, and  
0264-211-44, 45, 46 & 54

Agency Negotiators: Acting City Manager Arron Brown

Assistant City Attorney Robert Messinger

Negotiating Parties: City of Rialto, City of Rialto as  
Successor Agency & TE Newland Investments, LLC

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Motion by Council Member Trujillo and second by Council Member Baca  
and carried by a 4-0 vote to add Subsequent Need Item.

Mayor Robertson was absent.

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## **CLOSED SESSION**

Motion by Council Member Trujillo and second by Mayor Pro Tem  
Carrizales and carried by a 4-0 vote to go into Closed Session at  
5:02 p.m.

Mayor Robertson was absent.

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The City Council returned from Closed Session at 5:56 p.m.

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## **CALL TO ORDER**

Mayor Pro Tem Carrizales called the meeting to order at 6:30 p.m.

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## **OPEN SESSION**

The roll was called, and the following were present: Mayor Pro Tem  
Andy Carrizales, Council Member Ed Scott, Council Member Rafael  
Trujillo, and Council Member Joe Baca. Also, present were Acting City  
Manager Arron Brown, City Attorney Eric Vail, City Clerk Barbara  
McGee, and City Treasurer Edward Carrillo.

Mayor Deborah Robertson was absent.

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**Pledge of Allegiance and  
Invocation**

Mayor Pro Tem Andy Carrizales led the pledge of allegiance.

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Pastor Mark Baur – 1<sup>st</sup> Baptist Church.

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**City Attorney's Report on  
Closed Session**

1. CONFERENCE WITH LEGAL COUNSEL –  
EXISTING LITIGATION

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

One (1) matter:

- (1) McCullough v. City of Rialto et al.,  
USDC Case No. 5:22-cv-00600

The City Council gave direction. There is no reportable action.

2. CONFERENCE WITH LEGAL COUNSEL –  
ANTICIPATED LITIGATION

Significant exposure to litigation Pursuant to Government  
Code section 54956.9(d)(2)

Number of matters: Five (5) Matters

- WC - Claim No. 2192900029 (Haslam-Wright)
- WC - Claim No. SAC0000181299 (Hodge)
- WC - Claim No. 2192900076 (Lichtenberger)
- WC - Claim No. 2162900010 (Tucker)
- IDR (Hauenstein)

The City Council gave direction. There is no reportable action.

3. ITEM OF SUBSEQUENT NEED

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code section 54956.8

Property: APNs 0264-211-15 & 17, and  
0264-211-44, 45, 46 & 54

Agency Negotiators: Acting City Manager Arron Brown

Assistant City Attorney Robert Messinger

Negotiating Parties: City of Rialto, City of Rialto as

Successor Agency & TE Newland Investments, LLC

The City Council gave direction to the negotiators. There is no  
reportable action.

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**PRESENTATION AND  
PROCLAMATIONS**

1. Proclamation - National Public Works Week
2. Proclamation - Greta Hodges - Council Member Joe Baca
3. Request City Council to Receive an update on the purchase  
and implementation of a Cloud-Based Enterprise Resource  
Planning (ERP) System from Tyler Technologies, Inc.

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## **ORAL COMMUNICATIONS**

Michelle Sanchez addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment and Industrial Project.

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Melanie Jernigan addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment and Industrial Project and the lack of ability to provide feedback and her concerns with the petitions that were circulating. She believed further evaluation of the project from the City Council and asked the City Council to reconsider their vote.

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Ana Gonzalez addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment and Industrial Project. She believed there was plain disregard for the community and the residents filed a referendum. She stated there was a conflict of interest vote that took place with a Member of the City Council. She asked that the City Council do the right thing. She suggested the residents vote on the matter.

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City Attorney Vail clarified that Mayor Pro Tem Carrizales does not hold a conflict of interest and does not meet the FPPC factors as a leaseholder.

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Frank Montes addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment and Industrial Project and believed the voice of the community was not heard and asked that the City Council do the right thing.

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Yolanda Smith addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment. She believed that every citizen has a right to peace, to have a community to be proud of. She does not understand why the City Council is doing something the community does not want and is asking the City Council to reconsider.

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Joaquin Castillo addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment. He stated it is clear of what the residents don't want. They want a community that is meant for families not industries. The warehouse does not fit into the model. Safety and health of the community should be the main priority and the City Council should make its decisions based on that.

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## **ORAL COMMUNICATIONS**

Elizabeth Sena addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment and stated that decisions made in Rialto impact her and her family who reside in the City of Fontana. Council Members have an obligation to protect residents and community not corporations.

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Marlandra Johnson with Supervisor Joe Baca Jr's office addressed the City Council to give County updates such as a collaborative agreement with pavement reconstruction ramp update project on Lilac Avenue to comply with ADA requirements and the street-light project and affiliation agreement allowing medical emergency technician students for onsite training at Arrowhead Regional Medical Center.

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Cecilia Sarabia addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment and asked the City Council to reconsider their vote and to focus on community projects that benefit the City. She asked why is there is not an interpreter. She is also a taxpayer. She wanted to know the difference between a resident who is a property owner and renter. She believed they both have the same rights as active members of the community.

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Marvin Norman addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment. He reminded the City Council that May is bike month and Asian-American Pacific Islander Heritage Month.

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Kathryn Valadez addressed the City Council and expressed opposition to the Pepper Avenue Specific Plan Amendment. The project is not good for the community. She and her family work and function in the City of Rialto. She is asking for the City Council to reconsider the original plan.

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Council Member Baca addressed the City Council in reference to a letter dated November 8, 2021 indicating a Council Member's conflict of interest to the Pepper Avenue Specific Plan Amendment. He asked for evidence that the individual was not residing at that specified location during that period of time that the project was voted on.

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City Attorney Vail confirmed that the records of title indicate that Mayor Pro Tem Carrizales' in-laws own and have owned the property. There is nothing in the law that prevents somebody from living in a home of their in-laws and paying the mortgage should they so choose.

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## **ORAL COMMUNICATIONS**

Council Member Baca requested a second opinion from another attorney on the interpretation.

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Council Member Scott stated that if Council Member Baca chooses to speak as a resident, he will have to do so at the podium. He may not specifically address anyone specifically or have anyone answer his questions.

This is not a hearing on Mayor Pro Tem Carrizales' conflicts of interest. Mayor Pro Tem Carrizales is responsible for his own conflict of interests. Should Mayor Pro Tem Carrizales have a conflict of interest or should there be any doubt, there is a process. It is not at a City Council meeting.

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Citizen Joe Baca addressed the City Council and expressed his opposition to the Pepper Avenue Specific Plan Amendment and against the decision of the City Council at the April 25<sup>th</sup>, 2023 meeting. Based on the last meeting minutes, there are many residents in opposition to the project. The Planning Commission made their recommendations and City staff followed suit to go against the warehouse project on Pepper. He referenced a newspaper article that addressed the health, public safety and environmental impacts of warehouses in the Inland Empire. The City Council has a responsibility to the citizens of Rialto for a healthy Rialto and make it better. He stated retail and commercial will produce more revenue for the City. Warehouses will not produce the revenue needed. He asked the Members of the City Council reconsider and revote on the Pepper Avenue Specific Plan Amendment.

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

City Clerk McGee read into the record a correction on TAB 1 Minutes for the April 25<sup>th</sup>, 2023 City Council meeting. She stated the motion was by Council Member Scott and second by Council Member Trujillo which carried a 3-2 vote to approve the project and direct staff to repair the necessary resolutions approving the Specific Plan Amendments conditional development permit; precise plan of the development and the CEQA documents for the project as a consent calendar item on a subsequent City Council meeting.

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## **CONSENT CALENDAR**

### **A. WAIVE FULL READING OF ORDINANCES**

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### **B. APPROVAL OF WARRANT RESOLUTIONS**

B.1 Warrant Resolution No. 41 (04/27/2023)

B.2 Warrant Resolution No. 41a (04/27/2023)

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### **C. APPROVAL OF MINUTES**

C.1 Regular City Council Meeting – April 25, 2023

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### **D. CLAIMS AGAINST THE CITY**

D.1 Southern California Edison (SCE) -- Damages

D.2 Maria Gabriela Valle-Payan - Damages

D.3 Felipe Asaft Casillas Caldera – Vehicle Damage

D.4 Patricia Mendoza - Vehicle Damage

D.5 Luis Enrique Estrada Marquez - Damages

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### **E. SET PUBLIC HEARING**

E.1 Request City Council to Set a Public Hearing for June 13, 2023, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 4th Quarter of the 2022 Calendar Year.

E.2 Request City Council to Set a Public Hearing for June 13, 2023 to consider (1) Specific Plan Amendment No. 2022-0001, a request to change the land use designation on a 1.67-acre parcel of land (APN: 0130-013-02) located on the east side of Cactus Avenue approximately 360 feet south of Foothill Boulevard from Commercial - Mixed Use (C-MU) to Residential - High Density (R-HD), (2) Precise Plan of Design No. 2022-0025, a request to allow the development of a 21-unit apartment complex with 5 Accessory Dwelling Units consisting of eight (8) two-story buildings and associated paving, landscaping, lighting and drainage improvements, and (3) an Addendum to the Foothill Boulevard Specific Plan Mitigated Negative Declaration (Environmental Assessment Review No. 2022-0037) prepared for the project, in accordance with the California Environmental Quality Act (CEQA).

## **CONSENT CALENDAR**

- E.3 Request the City Council to Set a Public Hearing for June 13, 2023 to consider (1) Tentative Parcel Map No. 2020-0001 (TPM 20195), a request to subdivide a 31.61 gross acre parcel of land into two (2) new parcels of land, (2) Conditional Development Permit No. 2020-0002, a request to allow the development and use of two (2) new industrial warehouse buildings, (3) Precise Plan of Design No. 2020-0012, a request for site and architectural review of a proposal consisting of one (1) 430,581 square foot industrial warehouse building and one (1) 249,026 square foot industrial warehouse building on 31.61 gross acres of land, and (4) an Environmental Impact Report (Environmental Assessment Review No. 2020-0003) prepared for the project, in accordance with the California Environmental Quality Act (CEQA). The project site is located on the north side of Baseline Road approximately 350 feet east of Fitzgerald Avenue.
- E.4 Request City Council to Set a Public Hearing for June 13, 2023, to Approve and Adopt the Budget Plan for Fiscal Year 2023-24.

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## **F. MISCELLANEOUS**

- F.1 Request City Council to: (1) Adopt Resolution No. 8071 Accepting the Safe Streets and Roads for All Grant through the U.S. Department of Transportation Federal Highway Administration in the amount of \$320,000 for the Development of a Safe Streets For All Action Plan; and (2) Authorize the Acting City Manager to Execute all Related Documents.
- F.2 Request the City Council receive and file a report on the 2022 Housing Element Annual Progress Report
- F.3 Request City Council to: Receive and File Fiscal Year 2022 Single Audit Report.
- F.4 Request City Council to Receive and File the Measure I and Transportation Development Act Audits conducted by the San Bernardino County Transportation Authority.
- F.5 Request City Council To (1) Approve a Three-Year Contract for the Total Amount of \$114,650 with SPIDR Tech Inc. to Provide a Law Enforcement Integrated Software Solution to Improve Customer Communication, Transparency and Efficiency; (2) Approve the Issuance of a Purchase Order for FY2022/2023 in the amount of \$114,650 for SPIDR Tech Inc. Software; (3) Authorize the City Manager or Designee to Execute All Documents Including any Changes or Increases in Service.
- F.6 Request City Council to: (1) Authorize Staff to Submit an Application to the U.S. Department of Transportation's Charging and Fueling Infrastructure Discretionary Grant Opportunity Community Program Grant in the Not to Exceed Amount of \$500,000 with a Local Match Not-To-Exceed of \$100,000; and (2) Authorize the City Manager to Execute all Related Documents.



## **CONSENT CALENDAR**

Motion by Council Member Scott, second by Council Member Trujillo and carried by a 4-0 vote to adopt the Consent Calendar with the corrections on TAB 1 minutes for April 25, 2023.

Mayor Robertson was absent.

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There was a disturbance by the audience members.

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Motion by Council Member Scott, second by Council Member Trujillo and carried by a 4-0 vote to take a recess in the proceedings at 7:43 p.m.

Mayor Robertson was absent.

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All members returned from recess at 7:55 p.m.

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City Attorney Vail informed the City Council that during recess, Police Chief Kling advised members of the audience that they were being disruptive. That behavior was allowed to continue for a period during the recess so the public could be allowed to have the say that they wanted to under their First Amendment rights. Being present at a public meeting of a City Council and voicing your position isn't an absolute right if it disturbs the free flow of the business of the meeting. Members of the public had been advised and admonished of that by both Police Chief Kling, and Council Member Baca did encourage members of the audience to conduct themselves with decorum through the rest of the meeting. Everybody's been warned; the admonishments have been given. In the event that there are any significant disturbances of the meeting that disrupt the meeting, the next phase will occur. That means the Police Chief and his officers have to remove the disruptive people from the room.

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## **PUBLIC HEARING**

### **TAB 1**

**Approve The Naming of A Meeting Room in The Frances E. Brooks Conference Center at the Johnson Center "Linda J. Goffney Meeting Room."**

Cynthia Alvarado-Crawford, Community Services Director presented staff report to Request City Council Open A Public Hearing To Receive Community Feedback, And To Discuss And Approve The Naming Of A Meeting Room In The Frances E. Brooks Conference Center Located At The Johnson Community Center "Linda J. Goffney Meeting Room".

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Mayor Pro Tem Carrizales asked if anyone wish to speak.

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City Clerk McGee stated no.

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**TAB 1**

**Approve The Naming of A Meeting Room in The Frances E. Brooks Conference Center at the Johnson Center “Linda J. Goffney Meeting Room.”**

Motion by Council Member Scott, second by Council Member Trujillo and carried by a 4-0 vote to close the Public Hearing.

Mayor Robertson was absent.

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Council Member Trujillo recognized some of Commissioner Linda Goffney’s contributions to the City.

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Council Member Baca thanked Commissioner Linda for her contributions to the City.

Council Member Scott echoed the same sentiments about Commissioner Linda Goffney. She will be sorely missed by the Council Members and the community.

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Mayor Pro Tem Carrizales shared his thoughts and stated she will be greatly missed.

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Motion by Council Member Scott, second by Council Member Trujillo and carried by a 4-0 vote to Approve The Naming Of A Meeting Room In The Frances E. Brooks Conference Center Located At The Johnson Community Center “Linda J. Goffney Meeting Room”.

Mayor Robertson was absent.

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**TAB 2**

**Adopt Resolution No. 8072 approving Substantial Amendment No. 6**

Cynthia Alvarado-Crawford, Community Services Director and Ana Marie LeNoue with Avant-Garde, Inc. presented staff report to Request City Council to Consider and adopt Resolution No. 8072 approving Substantial Amendment No. 6 Revising Budget Amounts to CDBG-CV Activities within the City’s 2020-2021 Annual Action Plan.

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Mayor Pro Tem Carrizales opened the Public Hearing.

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No one came forward to speak.

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Motion by Council Member Trujillo, second by Council Member Scott and carried by a 4-0 vote to close the Public Hearing.

Mayor Robertson was absent.

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Council Member Baca suggested funds could be utilized for WIFI to be used at each City park in particular Frisbie Park and Sampson and Ferguson Park.

**TAB 2**  
**Adopt Resolution No. 8072 approving**  
**Substantial Amendment No. 6**

Council Member Scott recommended revisiting the cost for WIFI in the parks before moving forward to avoid using from the general funds. He asked about the outreach for the storefront small business assistance program.

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Aknesa Ananikyan with Avant-Garde, Inc. stated the outreach included canvassing multiple businesses in the city

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Council Member Scott asked if requirements are stringent that it is difficult to receive money.

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Ms. Ananikyan stated that CDBG-CV funding's guidelines include businesses demonstrating revenue loss.

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Council Member Scott asked if businesses on Riverside Avenue that have been impacted by construction have been contacted.

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Acting City Manager Brown stated businesses have to have been impacted by Coronavirus.

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Council Member Scott stated one of the impacts of COVID-19 was the difficulty in hiring people. He asked if the recruitment of new employees qualify for funds.

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Ms. LeNoue stated that businesses could utilize funds to retain or hire employees.

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Acting City Manager Brown asked for clarification if the funds could be utilized after showing financial impact directly related to Coronavirus.

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Mayor Pro Tem Carrizales stated there has been a huge impact in the business community. A lot of the workforce has not returned.

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Council Member Scott suggested outreach to the small business community to help and guide them document those losses.

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**TAB 2**  
**Adopt Resolution No. 8072 approving**  
**Substantial Amendment No. 6**

Acting City Manager Brown stated the outreach will be focused on that.

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Mayor Pro Tem Carrizales clarified his business does not need assistance.

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Council Member Trujillo described the need for warming centers and thanked Mayor Robertson and staff for working on that idea.

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Acting City Manager Brown stated that the voucher program through the local hotel and SWAG agreed to add additional vouchers.

He stated the Ad Hoc Committee discussed the possibility of splitting the \$200,000 to have \$100,000 towards exploring WIFI, but it did not make an impact on the total price. Instead, to utilize the \$200,000 towards the warming centers and continue to explore grant options for WIFI.

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Mayor Pro Tem Carrizales stated there are other grants. There are groups who are specifically looking for WIFI at all of the City parks.

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Motion by Council Member Baca, second by Council Member Scott and carried by a 4-0 vote to adopt Resolution No. 8072 approving Substantial Amendment No. 6 Revising Budget Amounts to CDBG-CV Activities within the City's 2020-2021 Annual Action Plan.

Mayor Robertson was absent.

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**TAB 3**  
**Accept, Review, and file the Fiscal Year**  
**2021-2022 Annual Comprehensive**  
**Financial Report and Related Documents**

Katherine Stevens Director of Finance and Bryan Gruber, Auditor with LSL CPAs and Advisors presented staff report to Request City Council, Rialto Housing Authority, Rialto Utility Authority, and Successor Agency to Accept, Review, and file the Fiscal Year 2021-2022 Annual Comprehensive Financial Report and Related Documents.

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Council Member Scott asked about fraud interviews required under GASB.

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**TAB 3**  
**Accept, Review, and file the Fiscal Year**  
**2021-2022 Annual Comprehensive**  
**Financial Report and Related Documents**

Mr. Gruber stated AICPA has standard for audit. They must obtain inquiry understanding possible impacts of fraud. It includes inquiry with City personnel with the knowledge and understanding of possible fraud and specific procedures on the financial statements over risks of fraud such as misstatements to the accounts and disclosures that might be misleading to the financial statements.

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Council Member Scott asked if Mayor Robertson or any Council Member was interviewed regarding potential fraud.

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Director of Finance Stevens believed it was with Council Member Trujillo and Mayor Robertson.

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Council Member Scott asked why weren't the other Council Members spoken to.

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Director of Finance Stevens stated it is a random sample selection.

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Council Member Scott stated in all his 20 years' experience, all the Council Members were spoken to. It is appropriate to speak to all Council Members. It is also appropriate for the auditors to meet with each Council Member and review the audit results.

This is the first time it hasn't been done and expressed his concern.

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Director of Finance Stevens stated it will be done moving forward.

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Council Member Trujillo stated he did not intent to supersede his colleagues. He thought it was part of the process.

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Director of Finance Stevens stated random selections were conducted to have that authenticity with the fraud inquiry.

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Acting City Manager Brown emphasized interviews will be conducted with all five Council Members. That will be the standard operating procedure. They will meet with all five.

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**TAB 3  
Accept, Review, and file the Fiscal Year  
2021-2022 Annual Comprehensive  
Financial Report and Related Documents**

Council Member Scott asked if the auditors have met with the City Treasurer.

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City Treasurer Carrillo stated he had not met with the auditors.

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Motion by Council Member Baca, second by Council Member Trujillo and carried by a 2-2 vote to Accept, Review, and file the Fiscal Year 2021- 2022 Annual Comprehensive Financial Report and Related Documents.

The vote was AYES: Council Member Trujillo and Council Member Baca.

NOES: Mayor Pro Tem Carrizales and Council Member Scott.  
ABSTAIN: None. ABSENT: Mayor Robertson.

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City Attorney Vail stated the motion fails unless there is an alternative motion, and it will need to be brought back when there are five Council Members.

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Council Member Baca asked if there was a deadline to meet.

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Director of Finance Stevens stated the report deadline was March 31, 2023. It was submitted on time. The auditors audited financials. This Item is to receive and accept on public record for the City of Rialto.

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Acting City Manager Brown asked if appointments could be arranged between now and June 13, 2023 to discuss Items with LSL.

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Council Member Scott agreed. That will be acceptable.

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Director of Finance Stevens asked the City Council how they would like the meetings arranged.

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Council Member Scott stated he would like to meet with Mayor Pro Tem Carrizales.

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Motion failed. TAB 3 will be brought back before the City Council.

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**TAB 4**

**Rescind the Contract Award to Ortiz Enterprises, Inc. for City Project No. 200808; Adopt Resolution No. 8073 Amending the 2022-2023 Fiscal Budget; Award Construction Contract to Riverside Construction Company, Inc., for City Project No. 200808**

Art Cervantes with Engineering, presented staff report to Request City Council to: (1) Rescind the Contract Award to Ortiz Enterprises, Inc., a California Corporation, for the SR-210/Alder Avenue Interchange Improvement Project, City Project No. 200808; (2) Adopt Resolution No. 8073 Amending the 2022-2023 Fiscal Budget and Appropriating \$1.3 Million from the RSP/EIR Fair Share Agreement Fund 301; (3) Award a Construction Contract to Riverside Construction Company, Inc., a California Corporation, in the amount of \$7,073,097.70 for the SR-210/Alder Avenue Interchange Improvement Project, City Project No. 200808; and (4) Authorize the Acting City Manager to Execute all Related Documents and take such other actions required to effectively administer the Project.

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Motion by Council Member Trujillo second by Council Member Scott and carried by a 4-0 vote to (1) Rescind the Contract Award to Ortiz Enterprises, Inc., a California Corporation, for the SR-210/Alder Avenue Interchange Improvement Project, City Project No. 200808; (2) Adopt Resolution No. 8073 Amending the 2022-2023 Fiscal Budget and Appropriating \$1.3 Million from the RSP/EIR Fair Share Agreement Fund 301; (3) Award a Construction Contract to Riverside Construction Company, Inc., a California Corporation, in the amount of \$7,073,097.70 for the SR-210/Alder Avenue Interchange Improvement Project, City Project No. 200808;

Mayor Robertson was absent.

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**TAB 5**

**Authorize the Release of Bids for the Willow Avenue and San Bernardino Avenue Traffic Signal and Lighting Improvements Project**

Art Cervantes with Engineering, presented staff report to Request City Council to Authorize the Release of Bids for the Willow Avenue and San Bernardino Avenue Traffic Signal and Lighting Improvements Project, City Project No. 230805.

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Council Member Scott thanked Engineering for moving the project forward. It is long overdue.

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Motion by Council Member Trujillo second by Council Member Scott and carried by a 4-0 vote to Authorize the Release of Bids for the Willow Avenue and San Bernardino Avenue Traffic Signal and Lighting Improvements Project, City Project No. 230805.

Mayor Robertson was absent.

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**TAB 6**  
**Request City Council direction on the**  
**County ARPA Funding for Two Rialto**  
**Park Improvement Projects**

Cynthia Alvarado-Crawford, Community Services Director, presented staff report to Request the City Council to discuss and provide direction on the County ARPA Funding designated for Two Rialto Park Improvement Projects in the amount of \$2,060,000.

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Council Member Scott asked where the remaining funds will be allocated.

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Community Services Director Alvarado-Crawford stated either approximately \$810,000 from the County or the one million dollars allocated for the fitness center conversion to avoid obtaining money from the General Fund.

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Council Member Scott asked which fund did the \$1 million dollars originate from.

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Acting City Manager Brown stated it was General Fund CIP.

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Council Member Scott expressed his concerns utilizing money from the General Fund for any projects in light of the current economic conditions in the country, State and potentially City. He would not be opposed to reallocating the fitness center funds to the project.

He stated no additional funds be removed from the General Fund until the economic situation of the City is known.

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Acting City Manager Brown stated it will fully fund the project. He expressed his concern with overages.

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Community Services Director Alvarado-Crawford stated there will be a slight overage. She would have to figure out the numbers.

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Council Member Scott asked if there were additional park revenues expected. He expects there would be once this project is complete.

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Acting City Manager Brown agreed. He stated this will not be a quick project.

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**TAB 6**  
**Request City Council direction on the**  
**County ARPA Funding for Two Rialto**  
**Park Improvement Projects**

Council Member Baca asked if the original request was for the Birdsell Park Snack bar and restaurant facilities.

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Community Services Director Alvarado-Crawford stated correct.

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Council Member Baca stated the Supervisor allocated approximately one million dollars to cover expenses and asked if an auditorium was added to the project.

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Community Services Director Alvarado-Crawford stated nothing was added to the park projects. Everything was named in the original proposal. The total cost of the project is \$4 million dollars. She stated \$1.4 million has been allocated. County Supervisor Baca awarded the City \$1.2 million. There is \$2 million still needed to complete project.

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Council Member Baca suggested the Item be tabled until matter is discussed with County Supervisor Baca Jr. then return to the City Council for appropriate action.

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Acting City Manager Brown stated it was his decision to bring before the City Council. This is a modified request. He elected to go before the City Council at this time and present suggestions and they can opt to move forward or table Item. Going forward, if that is the expectation of the City Council, it will be carried out in that manner.

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Council Member Scott agreed to table the Item until matter is discussed with County Supervisor Baca Jr.

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Motion by Council Member Scott second by Council Member Baca and carried by a 4-0 vote to Table TAB 6.

Mayor Robertson absent.

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**TAB 7**  
**Receive a presentation on the focused**  
**General Plan Update**

Colby Cataldi, Community Development Director and Henry Eckold, Planner with Dudek presented staff report to Request for the City Council to receive a presentation on the focused General Plan Update for the Land Use, Safety, Circulation and Environmental Justice Elements.

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**TAB 7**  
**Receive a presentation on the focused**  
**General Plan Update**

**Public Comment**

Ana Gonzales addressed the City Council and suggested an extended timeline for community input to understand general plan and input on surveys and suggested holding public review at a time more convenient for families to participate instead of summer break.

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Council Member Scott asked for explanation on proper maintenance and the process.

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Mr. Eckold explained and gave example of improper home maintenance resulting in unsafe or unsanitary conditions.

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Council Member Scott asked how the City would identify houses with those situations and propose to correct them.

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Mr. Eckold stated some are already identified by the recent housing element work.

0o0

Council Member Scott asked how would a home be identified.

0o0

Mr. Eckold stated there is a program within the housing element related to rehabilitation of that amount of housing.

0o0

Ms. Champion stated the housing element does not examine the interior of the homes. The housing element looks at the exterior conditions. A home survey was conducted within the City to determine the estimated number.

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Council Member Scott clarified that it relates to homes that are substandard on the exterior of the home and not the interior of the home.

0o0

Ms. Champion stated correct.

0o0

Council Member Scott asked if it included only the structure of the home.

0o0

Ms. Champion stated correct.

0o0

**TAB 7**  
**Receive a presentation on the focused**  
**General Plan Update**

Council Member Scott asked how the City proposes addressing and correcting those issues.

0o0

Ms. Champion stated the housing element has programs pertaining to code enforcement and outreach programs to assist property owners with the maintenance of their homes.

0o0

Council Member Scott asked if the program involves funding to repair homes.

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Ms. Champion stated there is no funding earmarked for that purpose.

0o0

Council Member Scott asked if code enforcement will be requiring homes to be repaired.

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Ms. Champion stated code enforcement is one option, but the outreach will be conducting a more proactive approach.

0o0

Council Member Scott asked if code enforcement will be enforcing residents to repair their homes.

0o0

Ms. Champion stated there will be no requirement to do that kind of maintenance.

0o0

Council Member Scott asked how will overcrowding of homes be determined.

0o0

Mr. Eckold stated Census data is used for that estimation.

0o0

Council Member Scott asked how will overcrowding be addressed by the City.

0o0

Mr. Eckold stated that if it is not a community issue, then it is not an issue that needs to be addressed.

0o0

**TAB 7**  
**Receive a presentation on the focused**  
**General Plan Update**

Council Member Scott expressed his concern with private property rights and the City dictating the use of private property.

0o0

Mr. Cataldi stated code enforcement enforces property maintenance issues that may arise as neighborhoods are patrolled or resident service requests. Code enforcement is not evaluating high occupancy homes with multiple families and will not be policing at all related to that matter.

0o0

Council Member Scott stated he is hoping the City will not be intending to police at all period. There are individuals who cannot afford to paint their homes. He is very concerned that a program such as this is, is not very neighborly.

0o0

Mr. Cataldi stated the City currently has a state grant application for consideration which includes housing rehab funds to Rialto. The City hopes to receive that funding which would be instrumental. If funds are granted, the City can then work with the neighboring community for these programs.

0o0

Council Member Scott emphasized he did not want to establish a policy without returning to the City Council.

0o0

Mr. Cataldi stated that everything that is contained in the update will be developed and brought back to the City Council in the next couple of months.

0o0

Council Member Scott continued to express his concern with the program and emphasized on the residents who struggle trying to support their families let alone trying to keep up with home repairs.

He inquired about flood zones and asked if the flood zone map is based on an actual flood event.

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Mr. Eckold stated that they are FEMA flood zone designations. The 100-year flood is what is reflected on the report.

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Council Member Scott stated a 100-year flood would be much wider. He believed the maps referenced in the report are misleading related to floods and fire.

0o0

**TAB 7**

**Receive a presentation on the focused  
General Plan Update**

Mr. Eckold stated FEMA created the Federal mapping related to flood zones. Fire zone data is created by CAL Fire which are State fire-hazard, severity zones which are different than what insurance companies use.

0o0

Council Member Scott stated he is impressed with the number of responses received considering the mailouts had just recently been sent.

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Council Member Baca asked if the deadline can be extended to allow public input. He stated the City Council will be selecting individuals who will be on the general plan.

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Mr. Cataldi stated the deadline can be extended another couple of weeks to allow residents time to respond.

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Council Member Baca asked what is done after all the information is gathered.

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Mr. Eckold stated the information from all components will be incorporated.

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Council Member Baca asked if the gathering of information will be provided to the City Council to determine how it will be utilized.

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Mr. Eckold stated it will help with prioritization that will assist City staff with implementation.

0o0

Mr. Cataldi stated all public comments will be cataloged, complete project and shape policies for Council's consideration.

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Council Member Baca expressed his concern with the identity of the residents living in multi-family homes made public especially if there is enforcement.

0o0

**TAB 7**

**Receive a presentation on the focused  
General Plan Update**

Mr. Eckold stated the focus is not enforcement. It is meant to improve residents' home situation where necessary. The grants will be able to assist. It is not a program that will be forced upon.

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Council Member Baca asked if this program will be requiring multi-family homes to undergo a permitting process and grant funding who need additional reconstruction in their home to be allowed.

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Mr. Cataldi stated this project will not audit the occupancy of any individual residences. It is to develop tools to have a more diverse housing stock implemented in the City to improve accessibility to healthy food, transportation, and affordable housing for the community.

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Council Member Baca understands the benefit. He wanted to make certain privacy is protected.

He expressed his concern for hazard and asked how the City will address potential fire hazards due to the additional warehouses built in the surrounding residential area that impacts health.

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Mr. Eckold stated that will certainly be considered when formulating policies.

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Council Member Baca emphasized, under health, there are no grocery stores in the northern part of Rialto. He also emphasized the traffic and pollution hazard in the area. He hopes all those elements are factored to establish an accurate assessment and impacts on the City.

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Mr. Cataldi stated point well taken.

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Council Member Trujillo referenced the map and asked about surface flooding captured in the 100-year flooding.

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Mr. Cataldi stated the natural habitats are the ones that are captured. Wherever there is deficient infrastructure, that can be considered.

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Mr. Eckold stated surface flooding can result from sewer blockage, and that is not captured on the FEMA maps.

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**TAB 7**  
**Receive a presentation on the focused**  
**General Plan Update**

Council Member Trujillo asked about multi-generational families in affordable housing units. He emphasized that it is not just homes. The issue is across the board.

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Mr. Cataldi stated the project is attempting to confront with economic disparities existing and lack of equity in the current environment. In the next few months, the work product will be developed and obtain feedback. The City Council will be briefed as to where the project stands.

0o0

Council Member Trujillo emphasized that some homes require more than one type of assistance, labor intensive work and asked if a plan will be created for those homes.

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Mr. Eckold stated they will attempt to make some feasible steps forward to provide opportunity and guidance wherever possible.

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Council Member Trujillo asked if any Spanish-speaker responses were received.

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Ms. Champion stated at public events, half of them were Spanish speaking.

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City Treasurer Carrillo stated that there is no mention of the pipeline that runs through the community. He asked how would the City respond to a major catastrophic event and who would fund the cleanup or aftermath. He asked why would that not be included in the report.

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Mr. Eckold stated that could potentially fall under hazardous materials and potentially include discussion in policies related to that.

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Mr. Cataldi stated they could work with the Public Works team on the City's infrastructure vulnerabilities or deficiencies they are aware of. The Public Works team will be at the table to participate and evaluate.

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**TAB 7**  
**Receive a presentation on the focused**  
**General Plan Update**

Motion by Council Member Scott second by Council Member Baca and carried by a 4-0 vote to receive a presentation on the focused General Plan Update for the Land Use, Safety, Circulation and Environmental Justice Elements.

Mayor Robertson was absent.

0o0

**TAB 8**  
**Form and select members for the General**  
**Plan Update Community Advisory**  
**Committee**

Siri Champion, Senior Planner and Arron Brown, Acting City Manager, presented staff report to Request City Council to form and select members for the General Plan Update Community Advisory Committee.

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Council Member Scott recommended to hold the committee at 10 members with each Council Member recommending two individuals.

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Council Member Baca recommended 15 members in a committee with each Council Members selecting three individuals.

There a lot of good candidates, and it is a difficult decision to make.

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Council Member Trujillo recommended 10 members. He wants to make certain each Council Member selects two.

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City Clerk McGee read Mayor Robertson's comments into the record as follows:

"To my Fellow Council Members: As you are aware, I am currently attending the Association of California Water Agencies (ACWA) Conference as previously planned. However, should you elect to proceed with appointing representatives for the advisory committee to the General Plan Update, I would strongly encourage you to consider a more inclusiveness of residents' participation rather than take management's recommendations (per the Acting City Manager advisement to me of my colleagues' disagreement for more), But I believe we should welcome more participation for community engagement, not less. Therefore, I recommend we consider five appointments each, a total of 25, (odd number), acknowledging the interest expressed and possible schedule conflicts, and thus I'm submitting two additional, in case my nominations are considered on someone's nomination list as well."

City Clerk McGee stated Mayor Robertson listed her nominees.

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**TAB 8**  
**Form and select members for the General Plan Update Community Advisory Committee**

Motion by Council Member Trujillo second by Council Member Scott and carried by a 3-1 vote to form and select members for the General Plan Update Community Advisory Committee at 10 committee members with each Council Members appointing two individuals each.

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

NOES: Council Member Baca: ABSTAIN: None. ABSENT: Mayor Robertson.

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City Attorney Vail asked if there were public comments on the Item.

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City Clerk McGee stated no.

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**TAB 9**  
**Award Professional Services Agreement to Triad Consulting & System Design Group**

Jonathan Ballard, Acting IT Manager, presented staff report to Request City Council to: (1) Award Professional Services Agreements to Triad Consulting & System Design Group in a Not to Exceed Amount of \$361,725.00 and (2) Authorize the City Manager to Execute All Documents.

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Council Member Scott stated for the record that this came from the Water Subcommittee with recommendations and moves for approval.

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Motion by Council Member Scott second by Council Member Baca and carried by a 4-0 vote to (1) Award Professional Services Agreements to Triad Consulting & System Design Group in a Not to Exceed Amount of \$361,725.00.

Mayor Robertson was absent.

0o0

**TAB 10**  
**Approve Software Support Renewal Agreement with Tritech Software Systems for Rialto Police Department Records Management System, Mobile Data, Computer Aided Dispatch, Property/Evidence Systems, CrimeMapping.com, CrimeView Desktop and Dashboard for Fiscal Year 2023/2024**

Mark Adams, Captain with the Rialto Police Department, presented staff report to Request City Council to (1) Approve a Software Support Renewal Agreement in the Amount of \$198,580.52 with Tritech Software Systems, a CentralSquare Technologies, LLC Company, a Delaware Limited Liability Company, for the Rialto Police Department Records Management System, Mobile Data, Computer Aided Dispatch, Property/Evidence Systems, CrimeMapping.com, CrimeView Desktop and Dashboard for Fiscal Year 2023/2024; and (2) Authorize the Acting City Manager or his Designee to Execute all Documents.

0o0

**TAB 10**

**Approve Software Support Renewal Agreement with Trittech Software Systems for Rialto Police Department Records Management System, Mobile Data, Computer Aided Dispatch, Property/Evidence Systems, CrimeMapping.com, CrimeView Desktop and Dashboard for Fiscal Year 2023/2024**

Motion by Council Member Baca second by Council Member Trujillo and carried by a 4-0 vote to (1) Approve a Software Support Renewal Agreement in the Amount of \$198,580.52 with Trittech Software Systems, a CentralSquare Technologies, LLC Company, a Delaware Limited Liability Company, for the Rialto Police Department Records Management System, Mobile Data, Computer Aided Dispatch, Property/Evidence Systems, CrimeMapping.com, CrimeView Desktop and Dashboard for Fiscal Year 2023/2024 and (2) Authorize the Acting City Manager or his Designee to Execute all Documents.

Mayor Robertson was absent.

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**TAB 11**

**Approve Purchase of 15 Ford Utility Interceptor Vehicles from Phil Long of Denver, LLC; Purchase of Equipment, Modifications, and Installation from 10-8 Retrofit**

Mark Adams, Rialto Police Department Captain, and Arron Brown, Acting City Manager, presented staff report to Request City Council to Approve (1) the Purchase of Fifteen (15) Ford Utility Interceptor Vehicles from Phil Long of Denver, LLC in the Amount of \$723,225.00, (2) the Purchase of Equipment, Modifications, and Installation from 10-8 Retrofit in the Amount of \$412,987.05, and (3) Authorize the Acting City Manager or his Designee to Execute all Documents.

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Mayor Pro Tem Carrizales asked about purchasing the vehicles locally.

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Acting City Manager Brown stated currently no one can. There is a shortage.

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Motion by Council Member Baca second by Council Member Scott and carried by a 4-0 vote to 1) the Purchase of Fifteen (15) Ford Utility Interceptor Vehicles from Phil Long of Denver, LLC in the Amount of \$723,225.00, (2) the Purchase of Equipment, Modifications, and Installation from 10-8 Retrofit in the Amount of \$412,987.05, including additional sales tax in the Amount of \$61,051.00 and (3) Authorize the Acting City Manager or his Designee to Execute all Documents.

Mayor Robertson was absent.

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**REPORTS**

The City Council gave their reports.

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**Community Services**

Director of Community Services Alvarado-Crawford gave the report.

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**ADJOURNMENT**

Motion by Council Member Baca, second by Council Member Trujillo and carried by a 4-0 vote to adjourn the City Council Meeting at 10:07 p.m.

Mayor Robertson was absent.

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MAYOR PRO TEM CARRIZALES

**ATTEST:**

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CITY CLERK BARBARA A. McGEE