

City of Rialto



Regular Meeting

Tuesday, January 26, 2021

CLOSED SESSION TIME: 5:00 PM

OPEN SESSION TIME: 6:30 PM

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

City Council

Mayor Deborah Robertson

Mayor Pro Tem Ed Scott

Council Member Rafael Trujillo

Council Member Andy Carrizales

Council Member Karla Perez

Barbara A. McGee City Clerk

Edward Carrillo City Treasurer

Eric Vail Interim City Attorney

Sean Grayson Acting City Manager

COMPLYING WITH SOCIAL DISTANCING PROTOCOLS, THE CITY COUNCIL WILL BE PARTICIPATING IN THE MEETING FROM REMOTE LOCATIONS VIA TELECONFERENCE WITHIN THE GUIDELINES OF GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20. THE CITY COUNCIL CHAMBERS WILL BE CLOSED TO THE PUBLIC INSIDE THE COUNCIL CHAMBERS.

MEMBERS OF THE PUBLIC ARE PROVIDED OPPORTUNITIES FOR PUBLIC COMMENT BY SUBMITTING WRITTEN COMMENT TO CITYCLERK@RIALTOCA.GOV OR PROVIDE ORAL COMMENTS VIA ZOOM (5 MINUTE LIMIT). Attend the Meeting via Zoom Webinar: <https://zoom.us/j/94152325262>. YOU MUST SIGN UP BY 6:30PM THE NIGHT OF THE MEETING, GO TO <https://www.yourrialto.com/virtual-city-council-meetings/>.

TO VIEW ONLY

Watch live streaming video of the Meeting at <https://www.yourrialto.com/watch-a-city-meeting/>.

Council Meetings are broadcast live on the City's television station, Rialto Network. Spectrum Channel 3 and AT&T Channel 99.

Attend the Meeting via Zoom <https://zoom.us/j/94152325262>. You do not have to speak.

LISTEN ONLY

Call into the Live Meeting: (669) 900-9128 Webinar ID:941 5232 5262

All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto) at least 72 hours in advance of the meeting. All writings that relate to an agenda item for an open session of a regular meeting of the City Council distributed to all, or a majority, of the Council Members also shall be made available, at the same time but not sooner than 72 hours before a regular meeting, for public inspection in the Office of the City Clerk located at 290 West Rialto Avenue, Rialto, California (909-820-2519) from 7:00 a.m. to 6:00 p.m., Mondays through Fridays, and on the City's website at www.yourrialto.com Any person having a question concerning any agenda item may call the City Clerk's office to make inquiry concerning the nature of the item described on the agenda.

Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the City Council only if it is considered to be a "subsequent need" or "emergency" item and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CAR 35.102-35.104 ADA Title II).

Next Ordinance No.1656 Next Resolution No. 7700**Called to Order By:****ROLL CALL****Rialto – Entering a Second Century of Progress**

- *Rialto will be a Family First Community*
- *Rialto Shall Attract High-Quality Development and Improve its Physical Environment*
- *Rialto's Economic Environment will be Healthy and Diverse*
- *Rialto will be an Active Community*

All items listed on this agenda are being considered and/or acted upon by the City Council on behalf of the City of Rialto, except for such items as are designated by the "RUA," "RHA," which items are being considered and/or acted upon by the Members of the Rialto Utility Authority or Rialto Housing Authority of the City of Rialto in its separate legal capacity. For convenience and ease of administration only, the agendas for each separate legal body have been consolidated herein

5:00 p.m.

CLOSED SESSION

- 1 [20-0969](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Pursuant to Government Code section 54956.9(d)(2)
One (1) matter
- 2 [20-0968](#) LIABILITY CLAIMS
Pursuant to Government Code section 54956.95
Eleven (11) Workers Compensation matters
- Donald Hatcher III, Compromise & Release - Claim Numbers:
1792900006 / 1792900002/ 1792900007
 - Donna Crow, Stipulated Settlement - Claim Numbers:
SAC0000181833 / 1892900028
 - Christopher Farmer, Compromise & Release - Claim Number
SAC0000178683
 - Dean Hardin, Compromise & Release - Claim Number
SAC0000178724
 - Jeremy Hintz, Compromise & Release - Claim Number
SAC0000178733
 - Carl Jones, Compromise & Release - Claim Number
SAC0000178718
 - Gregory Marquez - Compromise & Release - Claim Numbers -
19929000241 / SAC0000178743
 - James Mills - Compromise & Release - Claim Number
SAC0000178681
 - Robert Morales - Compromise & Release - Claim Number
SAC0000178722
 - Cameron Nelson - Compromise & Release - Claim Number
SAC0000178713
 - Joseph Viola - Compromise & Release - Claim Number 17929000018

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Dr. Victor Nolen - Word In Action Christian Center

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [20-0946](#) COVID-19 Briefing Report - Corwin Porter, Public Health Director
- 2 [20-0962](#) In Memoriam - Gary Rico, 13 year Police Volunteer

ORAL COMMUNICATIONS

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

NOTICE TO THE PUBLIC

All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion in the following form listed. There will be no separate discussion on these items. If discussion is required, the item will be removed from the Consent Calendar and will be considered separately. Vote may be by roll call.

CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

The Council hereby waives the full reading of any ordinance to be introduced or approved at this meeting and such ordinance shall be read by title only.

B. APPROVAL OF WARRANT RESOLUTIONS

- B.1 [20-0949](#) Warrant Resolution No. 27 (01/14/2021)
- B.2 [20-0950](#) Warrant Resolution No. 28 (02/21/2021)

C. APPROVAL OF MINUTES

- C.1 [20-0945](#) Regular City Council Meeting - January 12, 2021

D. CLAIMS AGAINST THE CITY

- D.1 [20-0947](#) Dawn Marie Hall - Damages

E. SET PUBLIC HEARING

- E.1 [20-0923](#) Request City Council to Set a Public Hearing for **February 9, 2021** to consider (1) **General Plan Amendment No. 2019-0004**, which is a request to change the general plan land use designation of approximately 2.92 gross acres (2.77 net acres) of land from Residential 6 to Residential 12, (2) **Zone Change No. 2019-0003**, which is a request to change the zoning designation of approximately 2.92 gross acres (2.77 net acres) of land from Single-Family Residential (R-1C) to Multi-Family Residential (R-3), (3) **Tentative Tract Map No. 2019-0002 (TTM 20294)**, which is a request to allow the subdivision of approximately 2.92 gross acres (2.77 net acres) of land into twenty-two (22) single-family lots and two (2) common lots, (4) **Precise Plan of Design No. 2020-0005**, which is a request to allow the development of a private residential neighborhood consisting of twenty-two (22) detached single-family dwelling units with corresponding improvements, and (5) a Mitigated Negative Declaration (**Environmental Assessment Review No. 2019-0033**) prepared for the project, in accordance with the California Environmental Quality Act (CEQA).
- E.2 [20-0890](#) Request City Council to Set a Public Hearing for **February 23, 2021**, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 3rd Quarter of the 2020 Calendar Year.

F. MISCELLANEOUS

- F.1 [20-0724](#) Request City Council to Adopt **Resolution No. 7695** A Resolution of the City Council of the City of Rialto, Amending the City's Conflict of Interest Code and List of Designated Employees.
- F.2 [20-0937](#) Request the City Council Approve Acting Pay for the Position of Acting City Manager in Fiscal Year 2020-2021.
- F.3 [20-0940](#) Request City Council to Approve the Submission of a Sustainable Communities Program Grant Application to the Southern California Association of Governments to Receive Technical and Administrative Assistance through the Housing and Sustainable Development Program.

- F.4 [20-0903](#) Request City Council, acting as the Successor Agency, to Adopt **Resolution No. SA1-21** Terminating an Owner Participation Agreement By and Between the Rialto Redevelopment Agency and T.S. OPUS, LLC.
- F.5 [20-0918](#) Request City Council to Approve an Increase to the Annual Purchase Order No. 2021-0487 with Galls, LLC for Fiscal Year 2020/21, in an Additional Amount of \$15,000 for Uniforms and Safety Equipment Through June 2021 for a Total Purchase Order Amount of \$30,000.
- F.6 [20-0938](#) Request City Council to Receive an Update on and Confirm the Continued Existence of a Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak.
- F.7 [20-0944](#) Request City Council to Adopt by Second Reading **ORDINANCE NO. 1653** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ADDING CHAPTER 18.112 OF THE RIALTO MUNICIPAL CODE CREATING A NEW CHAPTER 18.104 ENTITLED "INDOOR STORAGE FACILITIES"
- F.8 [20-0943](#) Request City Council to Adopt by Second Reading **ORDINANCE NO. 1654** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING CHAPTER 18.104 AND RELATED SECTIONS OF THE RIALTO MUNICIPAL CODE RELATED TO OUTDOOR STORAGE USES

TAB PUBLIC HEARING

- TAB1 [20-0889](#) Request City Council to 1) Conduct a Public Hearing Regarding the Proposed Annexation of Territory to the Rialto Landscaping and Lighting Maintenance District No. 2; 2) Request City Council to Adopt **Resolution No. 7698** Declaring the Results of the Property Owner Protest Ballot Proceedings Conducted for the Proposed Levy of Assessments Related to the Annexation of Territory to the Rialto Landscaping and Lighting Maintenance District No. 2, Commencing in Fiscal Year 2020/2021; and 3) Request City Council to Adopt **Resolution No. 7699** Confirming the Engineer's Report Regarding the Annexation of Territory to the Rialto Landscaping and Lighting Maintenance District No. 2, the Levy of Annual Assessments Described Therein, and the Assessment Diagram Connected Therewith Commencing in Fiscal Year 2020/2021, and Ordering the Levy and Collection of Assessments Commencing in Fiscal Year 2021/2022 for said Annexation.
(ACTION)

NEW BUSINESS

- TAB2** [20-0914](#) Request City Council to Select and Concur with the Appointment of a Mayor Pro Tem.
(ACTION)
- TAB3** [20-0913](#) Request City Council to Select and Confirm the Mayor's Appointments of Council Members to Internal and External Committees.
(ACTION)
- TAB4** [20-0954](#) Request City Council to Adopt **Ordinance No. 1655**, to Amend the City of Rialto's Conflict of Interest Ordinances.
(ACTION)
- TAB5** [20-0951](#) Request City Council to Authorize a Purchase Order with Lenovo for a Not-To-Exceed Amount of \$218,891.56 for the Purchase of Laptops, Desktops, and Monitors.
(ACTION)
- TAB6** [20-0961](#) Request City Council to Approve a Purchase Order with Blink IT Solutions in the Amount of \$52,514 for Information Technology Division Staff Augmentation Services.
(ACTION)
- TAB7** [20-0964](#) Request City Council to Affirm the Approval of an Agreement with NCNW Bethune Center for Workforce Development/Job Training Services for an Amount Not-To-Exceed \$57,162.
(ACTION)
- TAB8** [20-0922](#) Request City Council to Authorize the Submission of a Grant Application in an Amount Not-To-Exceed \$1 Million to the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant Program FY2020 Cycle.
(ACTION)
- TAB9** [20-0963](#) Request City Council to receive update and provide and other direction on the Ad Hoc Firework Committee.
(ACTION)
- TAB10** [20-0931](#) Request City Council to Approve Professional Service Agreements with Hanna, Brophy, MacLean, McAleer & Jensen, LLP and Gale, Sutow, & Associates in Order to Establish Centralized Attorney Services Related to Investigation Services and Worker's Compensation Matters within the Human Resources/Risk Management Department.
(ACTION)

TAB11 [20-0936](#)

Request City Council to 1) Award a Construction Contract to Senitica Construction in the amount of \$1,466,200 for the Cactus Trail Improvements Project No. 170801; 2) Award a Professional Services Agreement to Fountainhead Consulting Corporation in the amount of \$248,855.20 for Construction Management, Inspection, Labor Compliance, Geotechnical and Material Testing Services; 3) Approve the First Amendment to the Professional Services Agreement with KOA Engineering in the Additional Amount of \$14,600 for Design Support Services during Construction; and 4) Delegate Authority to the Acting City Manager to Approve the Not to Exceed Amount of \$170,000 for Contingency for the Construction Contract and Amendments for Related Professional Services on the Project.

(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT