

City of Rialto

*Council Chambers
150 S. Palm Ave.
Rialto, CA 92376*



Regular Meeting

Tuesday, June 13, 2023

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 Andy Carrizales
Council Member Rafael Trujillo
Council Member Ed Scott
Council Member Joe Baca
Barbara A. McGee City Clerk
Edward Carrillo City Treasurer
Eric Vail City Attorney
Arron Brown, Acting City Manager*

HOW TO REVIEW THE AGENDA. 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 OPEN SESSION AGENDA ITEM AT A REGULAR COUNCIL MEETING DISTRIBUTED TO ALL, OR A MAJORITY, OF THE COUNCIL MEMBERS WILL BE MADE AVAILABLE AT THE SAME TIME BUT AT LEAST 72 HOURS BEFORE A REGULAR MEETING, FOR PUBLIC INSPECTION ON THE CITY'S WEBSITE AT www.yourrialto.com AND 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., MONDAY THROUGH FRIDAY. 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.

ITEMS ADDED TO THE AGENDA. CONSISTENT WITH THE RALPH M. 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.

NEED ADA ASSISTANCE? IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE DIRECTOR OF MAINTENANCE & FACILITIES 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).

HOW TO ATTEND THE MEETING.

- (1) Members of the public may attend the meeting in person.*
- (2) Watch live streaming video of the Meeting at <https://www.yourrialto.com/183/Rialto-Network>*
- (3) Council Meetings are broadcast live on the City's television station, Rialto Network. Spectrum Channel 3 and AT&T Channel 99.*

HOW TO MAKE A PUBLIC COMMENT.

- (1) Appear at the meeting and speak during the public comment period. We request that you complete a Public Speaker Form and submit it to the City Clerk before the meeting. There is a 5 minute time limit.*
- (2) You may submit a public comment in writing to the City Clerk by email at CITYCLERK@RIALTOCA.GOV.*

Next Ordinance No.1687

Next Resolution No.

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 [23-557](#) **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.
 - IDR (Ford)
 - IDR (Russo)
 - Potential City claim against engineering firm related to street project

- 2 [23-558](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Three (3) matters:
 - (1) Center for Community Action and Environmental Justice, et al., v. City of Rialto, et al.,
SBSC Case No. CIVSB2311760

 - (2) Joseph Shepherd, et al., v. City of Rialto, et al.
SBSC Case No. CIVSB2311005

 - (3) Supporters Alliance for Environmental Responsibility v. City of Rialto, et al.,
Camfield Partners, et al., Real Parties in Interest
SBSC Case No. CIVSB2303227

- 3 [23-559](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code section 54956.8
Property: APN: 0264-211-15 & 17; and 0264-211-44, 45, 46, & 54;
Agency Negotiator: Acting City Manager Arron Brown; Deputy City Attorney Robert Messinger
Negotiating Parties: City of Rialto, City of Rialto as Successor Agency; TE Newland Investments, LLC
Under Negotiation: Price and Terms Sale

- 4 [23-560](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code section 54957(b)
Two (2) positions:
Title: Acting City Manager
Title: City Attorney

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Council Member Ed Scott

INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [23-477](#) Summer Reading Program - Signing up for Summer Reading Program and presentation of bags
 Connie Bottini - Youth Services Lead
 Janet Monterrosa - Branch Manager
- 2 [23-523](#) Bike Share Program Launch Presentation
- 3 [23-547](#) Proclamation - 50th Anniversary of the Black Voice News
- 4 [23-550](#) In Memoriam for Brittany Augustine
- 5 [23-567](#) Proclamation - Juneteenth Recognition - Mayor Robertson
- 6 [23-568](#) Proclamation - Fatherhood Awareness Month - Mayor Robertson

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 [23-474](#) Warrant Resolution No. 42 (05/04/2023)
- B.2 [23-501](#) Warrant Resolution No. 42a (05/05/2023)
- B.3 [23-502](#) Warrant Resolution No. 43 (05/11/2023)
- B.4 [23-503](#) Warrant Resolution No. 44 (05/18/2023)
- B.5 [23-504](#) Warrant Resolution No. 45 (05/25/2023)
- B.6 [23-505](#) Warrant Resolution No. 46 (06/01/2023)

C. APPROVAL OF MINUTES

- C.1 [23-507](#) Regular City Council Meeting - May 9, 2023

D. CLAIMS AGAINST THE CITY

- D.1 [23-514](#) Leila D. Robertson - Damages
- D.2 [23-513](#) Alejandrina Colon - Damages
- D.3 [23-532](#) Keana Darshell Baugh - Damages
- D.4 [23-556](#) Juan Madrigal - Property Damage

E. SET PUBLIC HEARING

- E.1 [23-512](#) Request City Council/Rialto Utility Authority Board to Set a Public Hearing for **June 27, 2023**, to Receive Public Comment Related to the Placement of Sewer Service Charges on the County Property Tax Roll for Delinquent Accounts.
- E.2 [23-510](#) Request City Council to: (1) Adopt **Resolution No. 8074**, Adopt **Resolution No. 8075**, and Adopt **Resolution No. 8076** Related to Street Light Maintenance District No. 1; (2) Adopt **Resolution No. 8077**, Adopt **Resolution No. 8078**, and Adopt **Resolution No. 8079** Related to Landscape Maintenance District No. 1; (3) Adopt **Resolution No. 8080**, Adopt **Resolution No. 8081**, and Adopt **Resolution No. 8082**, Related to Landscaping and Lighting Maintenance District No. 2; and (4) Set a Public Hearing for **June 27, 2023**, to Consider the Levy and Collection of Annual Assessments Therein.

- E.3 [23-534](#) Request City Council Postpone the Public Hearing previously scheduled for (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 [23-527](#) Request City Council to Adopt **Resolution No. 8083** Declaring The Intention to Annex Territory (Cedar Villas) to Community Facilities District No. 2016-1 (Public Services) and set a Public Hearing for **July 25, 2023**.

F. MISCELLANEOUS

- F.1 [23-499](#) Request City Council to 1) Adopt **Resolution No. 8084** Approving Parcel Map 19680 for the Subdivision of Three (3) Parcels of Land (APN 0240-191-34, 0240-191-35 & 0240-191-43), Located at the Northwest Corner of Alder Avenue and Renaissance Parkway, into Four (4) Developable Parcels and One (1) Non-developable Remainder Parcel; and 2) Authorize the City Manager to Execute all Related Documents.
- F.2 [23-509](#) Request City Council to: 1) Authorize the Submission of Grant Applications to the San Bernardino County Transportation Authority for the Transportation Development Act Article 3 Funds for the Frisbie Middle School SRTS Project and Bemis Elementary SRTS Project; and 2) Authorize the City Manager to Execute all Related Documents.
- F.3 [23-515](#) Request City Council/Rialto Utility Authority Board Adopt City Council **Resolution No. 8085** and Rialto Utility Authority Board **RUA Resolution No. 04-23** Approving an Extraterritorial Wastewater Service Agreement with Shorecliff Capital, LLC, for the property located at northeast corner of Cedar Avenue and San Bernardino Avenue, Bloomington, CA, Assessor's Parcel Number 0250-101-76-0000.
- F.4 [23-497](#) Request City Council to Adopt **Resolution No. 8086**, Adopting a List of Projects Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017 for Fiscal Year 2023/2024.

- F.5 [23-546](#) Request City Council to Adopt **Resolution No. 8087** Summarily Vacating and Abandoning a 30-Foot Wide Road Easement within Lot 20 of Tract Map 3598 Located at 530 S. Bloomington Avenue.
- F.6 [23-545](#) Request City Council to Adopt **Resolution No. 8088**, A Resolution of the City Council of the City of Rialto Establishing Juneteenth National Independence Day, A Federal Holiday, to be an Officially Observed Holiday for the City of Rialto.
- F.7 [23-520](#) Request City Council Approve the Submission of an Application to the Southern California Association of Governments for Consultant and Technical Assistance through the Housing Infill on Public and Private Lands Program.
- F.8 [23-531](#) 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.

TAB PUBLIC HEARING

- TAB1 [23-566](#) 1. Conduct a Public Hearing on the City's Fiscal Year 2023-24 Proposed Annual Budget.
2. Approve and Adopt the following Resolutions:
- a. Resolution No. 8089 , RHA Resolution No. 01-23, RUA Resolution No. 05-23, and Rialto Redevelopment Successor Agency Resolution No. SA01-23 for the City's Fiscal Year 2023-24 Annual Budget;
 - b. Resolution No. 8090 Adopting the Fiscal Year 2023-24 Appropriations Limit (GANN Limit);
 - c. Resolution No. 8091 Adopting the Fiscal Year 2023-24 Citywide Classification and Compensation Plan;

(ACTION)

- TAB2 [23-500](#) Request City Council to: (1) Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts for the 4th Quarter of 2022; and (2) Adopt **Resolution No. 8094** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse Accounts with the San Bernardino County Assessor-Recorder-County Clerk.

(ACTION)

TAB3 [23-517](#)

Specific Plan Amendment No. 2022-0001: Request the City Council Conduct a Public Hearing to consider Adoption of (1) **Resolution No. 8095** approving **Specific Plan Amendment No. 2022-0001**, a request to change the specific plan zoning designation of approximately 1.67 acres of land from Commercial - Mixed Use (C-MU) to Residential - High Density (R-HD), (2) **Resolution No. 8096** approving **Precise Plan of Design No. 2022-0025**, a request for site and architectural review for the development of a 21-unit apartment complex with 5 Accessory Dwelling Units and (3) **Resolution No. 8097** approving 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). The project site is located on the east side of Cactus Avenue approximately 360 feet south of Foothill Boulevard.

**POWERPOINT
(ACTION)**

TAB NEW BUSINESS

TAB4 [23-518](#)

Request City Council to (1) Adopt **Resolution No. 8098** approving **Specific Plan Amendment No. 2020-0002**, a request to amend the Pepper Avenue Specific Plan to allow a new "Light Industrial" land use designation and development standards, divide Planning Area 1 into two (2) Planning Areas - Planning Area 1 (2.63 acres) and Planning Area 10 (11.64 acres), change the land use designations of Planning Areas 2, 3, and 10 from Community Commercial to Light Industrial, add various traffic circulation improvements, and textual and graphical amendments, (2) Adopt **Resolution No. 8099** approving **Conditional Development Permit No. 2020-0008**, a request to allow the development and use of a 470,000 square foot industrial warehouse building on approximately 23.82 acres of land within Planning Areas 2 & 3 of the Pepper Avenue Specific Plan, (3) Adopt **Resolution No. 8100** approving **Precise Plan of Design No. 2020-0014**, a request for site and architectural review for a proposed 470,000 square foot industrial warehouse building on approximately 23.82 acres of land within Planning Areas 2 & 3 of the Pepper Avenue Specific Plan, (4) Adopt **Resolution No. 8101** certifying a Subsequent Environmental Impact Report (**Environmental Assessment Review No. 2020-0010**) prepared for the project, in accordance with the California Environmental Quality Act (CEQA), and (5) Adopt **Resolution No. 8102** authorizing the Acting City Manager to Execute a Community Benefits Agreement with Howard Industrial Partners, LLC.

(ACTION)

- TAB5** [23-528](#) Request that the City Council Introduce for First Reading **Ordinance No. 1686**, amending Sections 2.12.030, 2.12.040, 2.12.050 and 2.12.060 of Chapter 2.12 the Rialto Municipal Code to Adjust the Salary of the Mayor, City Councilmembers, City Clerk and City Treasurer of the City of Rialto as authorized by California Law.
(ACTION)
- TAB6** [23-494](#) Request City Council to: (1) Approve a Contract Services Agreement with Securitas Electronic Security, Inc. for Annual Access and Intrusion Alarm System Monitoring, Maintenance and Repair Services in the Not-to-Exceed Amount of \$154,104.68 for Fiscal Year 2023/2024; and (2) Authorize the City Manager to Execute All Related Documents.
(ACTION)
- TAB7** [23-496](#) Request City Council to: (1) Approve the Third Amendment to the Professional Services Agreement with Engineering Resources of Southern California for On-Call Plan Check Services; (2) Approve the Third Amendment to the Professional Services Agreement with Willdan Engineering for On-Call Plan Check Services; and (3) Authorize the City Manager to Execute All Documents.
(ACTION)
- TAB8** [23-491](#) Request City Council to: (1) Award a Maintenance Services Agreement to Inland Empire Landscape, Inc., a California Corporation for Landscaping and Ground Maintenance Services for Landscape Maintenance Districts, Parkways and Median Islands; (2) Authorize the Issuance of a Purchase Order in the Not-to-Exceed Amount of \$925,496 for Fiscal Year 2023/2024; and (3) Authorize the City Manager to Execute all Related Documents.
(ACTION)
- TAB9** [23-521](#) Request City Council to: (1) Approve a one-year Agreement for Professional Services with Social Work Action Group; (2) Approve a Purchase Order for \$708,712 for Fiscal Year 2023/2024; (3) Authorize the Acting City Manager, or his Designee, to Execute All Documents.
(ACTION)

TAB10 [23-524](#)

Request City Council to: (1) Adopt **Resolution No. 8103** Amending the Capital Improvement Program to Appropriate \$1,617,950 to the Birdsall Park Improvement Project, City Project No. 210304; (2) Approve a Funding Agreement with the County of San Bernardino related to the Birdsall Park Improvement Project; (3) Transfer \$1,000,000 Initially Allocated for the Fitness Center Conversion to the Birdsall Park Improvement Project, and (4) Authorize the City Manager to Execute all Necessary Documents.

(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT