

# City of Rialto

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



## Regular Meeting

**Tuesday, August 22, 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  
Henry Garcia, Interim 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](http://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](mailto:CITYCLERK@RIALTOCA.GOV).*

## **Next Ordinance No.1688      Next Resolution No. 8133**

**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      [23-761](#)

### **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.

- Kevin Ball -- Workers Compensation Settlement
- James Bender -- Workers Compensation Settlement
- Cory Cisneros -- Workers Compensation Settlement
- David Jarvis -- Workers Compensation Settlement
- Ronald Russo - Industrial Disability Retirement

2      [23-762](#)

### **CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code section 54957.6

Labor Negotiator: Assistant City Manager, Arron Brown, Director of Human Resources & Risk Management Shama Curian

Employee Organizations:

- Executive Management Team
- Management Unrepresented Employees
- Rialto City Employee's Association (RCEA)
- Teamsters Mid-Management & Confidential Employee's Union (TMMU)
- Rialto Fire Management Association (RFMA)
- Rialto Police Benefit Association - Management
- Rialto Police Benefit Association - General
- Rialto Professional Firefighters of California - Local 3688
- Unrepresented Employees

6:30 p.m.

Called to Order By:

ROLL CALL

**PLEDGE OF ALLEGIANCE - Mayor Pro Tem Carrizales**

**INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church**

City Attorney's Report on Closed Session

**PRESENTATIONS AND PROCLAMATIONS**

1      [23-768](#)      Recognition of UPS Workers - Council Member Trujillo

**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      [23-747](#)      Warrant Resolution No. 1
- B.2      [23-748](#)      Warrant Resolution No. 2
- B.3      [23-749](#)      Warrant Resolution No. 3
- B.4      [23-750](#)      Warrant Resolution No. 4
- B.5      [23-752](#)      Warrant Resolution No. 5

**C. APPROVAL OF MINUTES**

- C.1 [23-726](#) Regular City Council Minutes - August 8, 2023

**D. CLAIMS AGAINST THE CITY**

- D.1 [23-746](#) Keith Phillips - Property Damage
- D.2 [23-739](#) Lorena Dewit, Jacob J. De Wit, John Jacob De Wit - Wrongful Death
- D.3 [23-730](#) Adrian Lee Jones - Vehicle Damage
- D.4 [23-729](#) Richard Golings - Vehicle Damage

**E. SET PUBLIC HEARING**

- E.1 [23-720](#) Request City Council to Set a Public Hearing for **September 12, 2023** to consider (1) **General Plan Amendment No. 2022-0002**, a request to change the general plan land use designation of approximately 5.97 acres of land from General Commercial (GC) with a Specific Plan Overlay to Business Park (BP) with a Specific Plan Overlay, (2) **Specific Plan Amendment No. 2022-0003**, a request to change the specific plan zoning designation of approximately 5.97 acres of land from Freeway Commercial (F-C) within the Gateway Specific Plan to Industrial Park (I-P) within the Gateway Specific Plan, (3) **Tentative Parcel Map No. 2022-0005 (TPM 20622)**, a request to consolidate ten parcels (10) of land into one (1) 5.97 net acre parcel of land, (4) **Conditional Development Permit No. 2022-0039**, a request to allow the development and use of a 131,625 square foot industrial warehouse building on approximately 5.97 acres of land, (5) **Precise Plan of Design No. 2022-0065**, a request for site and architectural review of a 131,625 square foot industrial warehouse building on approximately 5.97 acres of land, and (6) a Mitigated Negative Declaration (**Environmental Assessment Review No. 2022-0067**) prepared for the project, in accordance with the California Environmental Quality Act (CEQA). The project site is located at the southeast corner of Valley Boulevard and Willow Avenue.
- E.2 [23-767](#) Request City Council to Set a Public Hearing for **September 12, 2023**, to Approve and Adopt the Budget Plan for Fiscal Year 2023-24.

**F. MISCELLANEOUS**

- F.1**     [23-706](#)     Request City Council to Authorize the Release of Bids for the Construction of the Rialto Fire Station 203 Dormitory Improvements Project, City Project No. 220204.
- F.2**     [23-719](#)     Request City Council to: 1) Adopt **Resolution No. 8129** Approving the Public Improvement Agreement for Public Improvements Along Cedar Avenue and Durst Drive Related to the Precise Plan of Design (PPD) 2021-0036 Located at the Northwest Corner of Cedar Avenue and Durst Drive; and 2) Authorize the Interim City Manager to Execute all Related Documents.

**TAB PUBLIC HEARING**

- TAB1**   [23-721](#)     Request City Council to: (1) Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts for the 1st Quarter of 2023; and (2) Adopt **Resolution No. 8130** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse Accounts with the San Bernardino County Assessor-Recorder-County Clerk.  
**(ACTION)**
- TAB2**   [23-766](#)     Request City Council to Continue a Public Hearing regarding Adoption of (1) a Resolution approving **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) a Resolution approving **Conditional Development Permit No. 2020-0002**, a request to allow the development and use of two (2) new industrial warehouse buildings, (3) a Resolution approving **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) a Resolution approving 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.  
**(ACTION)**

**TAB NEW BUSINESS**

- TAB3**   [23-737](#)   Request that the City Council/Rialto Utility Authority Authorize Staff to proceed with the Preparation of Phase 2: Water and Wastewater Rate Study  
**(ACTION)**
- TAB4**   [23-741](#)   Request that the City Council Introduce for First Reading **Ordinance No. 1687**, Amending Section 2.04.050 of Chapter 2.04 of the Rialto Municipal Code to delete paragraph C related restricting the authority of the City Council to remove a City Manager not-for-cause.  
**(ACTION)**
- TAB5**   [23-712](#)   Request City Council to (1) Approve the Renewal of the Small Municipal and County Government Enterprise Agreement (SGEA) for a three-year agreement in the amount of \$170,100.00 with ESRI, Inc; and (2) Authorize the Interim City Manager or his Designee to Execute all Documents.  
**(ACTION)**
- TAB6**   [23-723](#)   Request City Council to: 1) Adopt **Resolution No. 8131** Accepting the 2023 Active Transportation Program Cycle 6 Grant in the amount of \$7,037,000 for the Pacific Electric Trail Extension, Project No. 240801; and 2) Authorize the Interim City Manager to Execute all Related Documents.  
**(ACTION)**
- TAB7**   [23-705](#)   Request City Council to Authorize a Purchase Order in the Amount of \$182,600 to BOA Architecture pursuant to their On-Call Agreement for Professional Architectural Services for Design of the Birdsell Park Improvement Project, City Project No. 210304.  
**(ACTION)**
- TAB8**   [23-724](#)   Request City Council to Approve the Reconciliation of Public Improvement Costs Associated with the Construction Fee Credit and Reimbursement Agreement Related to Century Communities of California, LLC., a Delaware Limited Liability Company.  
**(ACTION)**

TAB9 [23-717](#) Request City Council to: (1) Adopt Budget **Resolution No. 8132** Amending the Continued 2022/2023 Fiscal Budget and Appropriating \$196,200 from the Gas Tax Fund; (2) Award a Construction Contract to Superior Pavement Markings Inc. in the Amount of \$319,123 for the Construction of the Class II Bike Lanes on Merrill Avenue and Riverside Avenue, Federal Project No. HSIP 5205-024, City Project No.170813, and (3) Authorize the Interim City Manager to Execute all Related Documents.  
**(ACTION)**

## REPORTS

**MAYOR:**

**COUNCIL MEMBERS:**

**CITY ATTORNEY:**

**CITY MANAGER:**

## ADJOURNMENT