

City of Rialto

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



Regular Meeting

Tuesday, September 10, 2024

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
G. Michael Milhiser, 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 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 THURSDAY. 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.*

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

Next Ordinance No. 1696

Next Resolution No. 8292

5:00 p.m.

CLOSED SESSION

Called to Order By:

- 1 [24-1706](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Number of Matters: Five (5)
 - 1. Esteban Hernandez v. City of Rialto, et al,
USDC No. 5:22-cv-01807-SSS-SP
 - 2. City of Camden v. Tyco Fire Products LP, et al.
USDC South Carolina, Case No2:24-cv-02321
 - 3. City of Camden v. Chemguard, Inc., et al.
USDC South Carolina, Case No2:24-cv-02321
 - 4. City of Columbia dba Columbia Water et al., v. RMG and BASF
Corporation, et al. USDC South Carolina, Case No. 2:18-mn-02873
 - 5. City of Columbia dba Columbia Water et al., v. 3M and the DuPont et
al.
USDC South Carolina, Case No. 2:18-mn-02873

- 2 [24-1707](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
LITIGATION**
Pursuant to Government Code section 54956.9(d)(2)
Number of Matters: Two (2)
 - 1. Rialto Well 5 and the Baseline Feeder System
 - 2. Dig Alert Notice of Probable Violation

6:30 p.m.

OPEN SESSION

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Council Member Joe Baca

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

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [24-1704](#) Presentation - Certificates for National Tradesmen's Day - Council Member Trujillo
- 2 [24-1710](#) Certificate of Recognition for Connie Moore Bottine - 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 [24-1691](#) Warrant Resolution No. 08
- B.2 [24-1692](#) Warrant Resolution No. 09

C. APPROVAL OF MINUTES

- C.1 [24-1694](#) Regular City Council Minutes - August 27, 2024

D. CLAIMS AGAINST THE CITY - FOR INFORMATION ONLY

- D.1 [24-1700](#) Arthur Cervantes - Damages
- D.2 [24-1702](#) Michelle Wyble - Damages
- D.3 [24-1703](#) Paul Gonzalez - Damages

E. SET PUBLIC HEARING

- E.1 [24-1681](#) Request the City Council Set a Public Hearing for **September 24, 2024** to consider an appeal of the Planning Commission's decision approving an Addendum to the Environmental Impact Report for the Rialto Airport Specific Plan (**Environmental Assessment Review No. 2023-0022**), **Tentative Parcel Map No. 2023-0001**, **Conditional Development Permit No. 2023-0011**, and **Precise Plan of Design No. 2023-0018**, for the development and use of a 225,173 square foot industrial warehouse building on 11.19 net acres of land (APN: 0239-301-40, -49, -51, -55, -56, & -64) located at the southeast corner of Locust Avenue and West Coast Boulevard within the Planned Industrial Development (I-PID) land use district of the Rialto Airport Specific Plan.
- E.2 [24-1696](#) Request City Council to Reschedule a Public Hearing for **November 12, 2024**, to Consider and Adopt: 1) Environmental Assessment Review No. 2024-0022 and Zoning Code Amendment No. 2024-0002 - an Ordinance amending Section 11.22.090 of Chapter 11.22 "Wireless Telecommunications Facilities in the Public Right-of-Way" and adding Section 18.111.100 to Chapter 18.111 "Wireless Telecommunications Facilities" of the Rialto Municipal Code; and, 2) A Resolution to approve "Guidelines for Batch Broadband Permit Processing".

F. MISCELLANEOUS

- F.1 [24-1601](#) Request City Council to: 1) Adopt **Resolution No. 8286** Amending the 2024-2025 Fiscal Year Budget; 2) Approve the California Office of Traffic Safety Motorcyclist Safety Education and Training Program Grant Agreement in the Amount of \$20,000; and 3) Authorize the Interim City Manager or Designee to Execute All Documents.
- F.2 [24-1678](#) Request City Council to Authorize the Release of Bids for the Baseline Storm Drain Project, City Project No. 170700.

F.3 [24-1685](#) Request City Council and Rialto Utility Authority Board to authorize Staff to Submit a Grant Application to the Santa Ana Watershed Project Authority for Proposition 1, Round 2 grant funds for a Septic to Sewer Project in the amount of \$319,000.

F.4 [24-1698](#) Request City Council to Approve a Letter Requesting Governor Newsom to Veto Assembly Bill 98.

TAB PUBLIC HEARING

TAB1 [24-1686](#) Request City Council to: 1) Conduct a public hearing and solicit public comments from interested citizens; and 2) Adopt **Resolution No. 8287** approving the Fiscal Year 2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER); 3) Authorize the City Manager to sign all necessary documents to submit the Fiscal Year 2023-2024 CAPER to the U.S. Department of Housing and Urban Development (HUD).
(ACTION)

TAB2 [24-1651](#) Request the City Council to Conduct a Public Hearing for the Formation of City of Rialto Community Facilities District No. 2024-1 (Renaissance) 1) Adopt **Resolution No. 8288** Determining the Validity of Prior Proceedings and Establishing Community Facilities District No. 2024-1 (Renaissance); and 2) Adopt **Resolution No. 8289** Determining the Necessity to Incur Bonded Indebtedness within Community Facilities District No. 2024-1 (Renaissance) and Calling a Special Election; and Hold Election; and 3) Adopt **Resolution No. 8290** Canvassing the Results of the Election held within Community Facilities District No. 2024-1 (Renaissance); and 4) Introduce and Waive First Reading of **Ordinance No. 1695** Ordinance Authorizing the Levy of a Special Tax within the Community Facilities District No. 2024-1 (Renaissance).
(ACTION)

TAB NEW BUSINESS

TAB3 [24-1675](#) Request City Council to 1) Authorize a Contract Change Order in the Amount of \$339,635 to GEI Consultants Inc. (GEI) Pursuant to their On-Call Agreement for Environmental Services for Fire Station 203 PFAS Investigation and Reporting, City Project No. 25023; 2) Authorize Enrollment in a Voluntary Oversight Program with the Regional Water Quality Control Board (RWQCB) and 3) Authorize the City Manager or Their Designee to Execute All Related Documents.
(ACTION)

- TAB4** [24-1677](#) Request City Council to 1) Adopt **Resolution No. 8291** Authorizing the Appropriation of \$472,138 in Fire Development Impact Fund 2217; 2) Award a Construction Contract to MC Electric in the Amount of \$397,200 for the Fire Station 204 Generator Installation, City Project No. 240202; and 3) Authorize the City Manager or their Designee to Execute all Related Documents.
(ACTION)
- TAB5** [24-1680](#) Request the City Council to Delegate Authority to the City Manager or their Designee to Approve Contract Change Orders in the Cumulative Amount of \$1,500,000 for the Various Streets Phase 2, City Project No. 240802.
(ACTION)
- TAB6** [24-1699](#) Request to City Council to 1) Authorize the Purchase of a Bearcat G3 Armored Rescue Vehicle from Lenco Industries for a Total Cost of \$435,440.46; and 2) Authorize the Interim City Manager, or his Designee to Execute All Documents.
(ACTION)
- TAB7** [24-1701](#) Request City Council to: 1) Approve the Second Amendment to Agreement for Services with Bio-Tox Laboratories, Inc for the Period of FY2024/2025 Through FY2025/2026, Total Agreement Amount of \$350,000; 2) Approve the Issuance of a Purchase Order for FY2024/2025; and 3) Authorize the Interim City Manager or Designee to Execute all Documents.
(ACTION)
- TAB8** [24-1705](#) Request City Council to 1) Approve the Purchase of a Radio Frequency Detector/Cell Site Simulator in the Amount of \$930,005.16 with Jacobs Technology Inc. (JTI); and 2) Authorize the Interim City Manager or his Designee to Execute all Documents.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT