

City of Rialto



Regular Meeting - Final

Tuesday, November 9, 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 City Attorney

Marcus Fuller City Manager

IN RESPONSE TO THE COVID-19 EMERGENCY, THE CITY COUNCIL CHAMBERS WILL BE OPEN TO THE PUBLIC WITH LIMITED SEATING INSIDE THE COUNCIL CHAMBERS. THE PUBLIC WILL HAVE AN OPPORTUNITY TO SPEAK ON ANY ITEM USING THE PODIUM INSIDE 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, SEND EMAIL: rialtonetwork@rialto.ca.gov.

TO VIEW ONLY

Watch live streaming video of the Meeting at <https://www.yourrialto.com/183/Rialto-Network>

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

Next Ordinance No. 1665

Next Resolution No. 7802

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 [21-0812](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Two (2) matters:
- Patricia Delgado v. City of Rialto
USDC Case No. 5:20-cv-02609-JGB-SHK
 - Maria Zarate v. City of Rialto
SBSC Case No. CIVDS 1928217
- 2 [21-0813](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Pursuant to Government Code section 54956.9(d)(2)
Two (2) matters
- 3 [21-0814](#) **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to Government Code section 54957.6
Agency Designated Representatives: Marcus Fuller, City Manager
Employee Organizations:
- City Government Management Association
 - Rialto Fire Management Association
 - Rialto Mid-Management & Confidential Employee's Association
 - Rialto Policy Benefit Association - Management
 - Rialto City Employee's Association
 - Rialto Police Benefit Association - General
 - Rialto Professional Firefighters of California - Local 3688
 - Executive Management Team
 - Management Unrepresented Employees
 - Unrepresented Employees

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE- Council Member Karla Perez

INVOCATION -

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [21-0809](#) Proclamation - City's 110th Birthday - Mayor Pro Tem Ed Scott
- 2 [21-0811](#) Introduction of Sean Moore, Director of Community Development - City Manager Marcus Fuller
- 3 [21-0837](#) Certificate of Recognition - Día de Los Muertos - Council Member Rafael Trujillo
- 4 [21-0838](#) Certificate of Recognition - National Family Caregivers Month - Council Member Rafael Trujillo
- 5 [21-0815](#) Presentation - Riverside North Pavement Rehabilitation Project Update - City Manager Marcus Fuller

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 [21-0797](#) Warrant Resolution No.16 (10/21/2021)

B.2 [21-0798](#) Warrant Resolution No.17 (10/28/2021)

B.3 [21-0804](#) Warrant Resolution No.17a (10/28/2021)

C. APPROVAL OF MINUTES

C.1 [21-0799](#) Regular City Council Meeting - October 12, 2021

D. CLAIMS AGAINST THE CITY

D.1 [21-0800](#) Tony Alvarado - Property Damage

D.2 [21-0801](#) Humberto Raul Pino - Damages

E. SET PUBLIC HEARING

E.1 [21-0785](#) Request City Council to Set a Public Hearing for December 14, 2021, to consider an appeal of the Planning Commission's decision to approve Conditional Development Permit No. 2021-0006, a request to allow the sale of distilled spirits for off-site consumption, in addition to existing sales of beer and wine for off-site consumption, from an existing convenience market located at 718 E. Foothill Boulevard within the Commercial Pedestrian (C-P) land use district of the Foothill Boulevard Specific Plan.

F. MISCELLANEOUS

F.1 [21-0749](#) Request That the City Council: (1) Accept a Grant from the California Department of Alcoholic Beverage Control's ABC-OTS Grant Program in the Amount of \$20,000; and (2) Adopt **Resolution No. 7796** Amending its Budget for the 2021-2022 Fiscal Adding \$20,000 to the Revenue Account 247-400-6989-7551, \$19,700 to Expenditure Account 247-500-6989-1020 and \$300 to Account 247-500-6989-1050.

F.2 [21-0761](#) Request City Council to accept technical assistance from the Institute for Local Government through the Build, Organize, Optimize, Strengthen, Transform (BOOST) Program and authorize the City Manager to execute a Memorandum of Understanding with the Institute for Local Government.

F.3 [21-0762](#) Request the City Council/Rialto Utility Authority Board: 1) Authorize submission of a grant application to the US Bureau of Reclamation's WaterSMART program, 2) Approve **Resolution No. 7797** endorsing WaterSMART Water and Energy Efficiency Grants for Fiscal Year 2022, and 3) Approve **RUA Resolution No. 08-21** endorsing WaterSMART Water and Energy Efficiency Grants for Fiscal Year 2022.

- F.4 [21-0767](#) Request City Council to Receive and File Treasurer's Monthly Report for the month end of September 2021.
- F.5 [21-0770](#) Request City Council Adopt **Resolution No. 7798** Requesting that the State of California Legislature Delay Implementation of SB 1383 By Five Years.
- F.6 [21-0789](#) Request the Successor Agency to the Redevelopment Agency of the City of Rialto to Adopt **Resolution No. 03-21** Declaring that Certain 20,249 Square Feet Commercial Parcel Located at 119 N. Riverside Avenue Identified by Assessor's Parcel Number 0130-161-27 as Surplus Land and Directing the Executive Director to Follow the Procedures Set Forth in the Surplus Land Act, California Government Code Section 54220 et seq., as Amended on January 1, 2020, for the Sale of Surplus Land.
(ACTION)
- F.7 [21-0816](#) Request City Council to adopt by second reading of **Ordinance No. 1663**:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO CALIFORNIA AMENDING CHAPTER 10.28 REGARDING PARKING OF VEHICLES IN STALLS FOR ELECTRIC CHARGING PURPOSES

TAB NEW BUSINESS

- TAB1 [21-0788](#) Request City Council to Receive an Update on and Confirm the Continued Existence of and Provide any Further Direction in Relation to the Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak.
(ACTION)
- TAB2 [21-0787](#) Request City Council to Receive a Presentation on General Fund Revenue and Expenditures for First Quarter of Fiscal Year 2021-22.
- TAB3 [21-0810](#) Request City Council to: (1) Adopt **Resolution No. 7799** Amending its 2021-2022 Fiscal Budget; (2) Approve a Services Agreement with Konica Minolta Business Solutions U.S.A., Inc., in the amount of \$514,627 for Scanning and Preservation of City Documents; and (3) Authorize the City Manager to Execute All Documents.
(ACTION)
- TAB4 [21-0807](#) Request City Council to Review and Consider Approval of the Proposed Rialto Amnesty Program for Unpermitted Construction During the COVID-19 Pandemic.
(ACTION)

TAB5 [21-0780](#) Request City Council to: (1) Approve a Mutual Aid Agreement with San Bernardino County Public Works in an Amount Not To Exceed \$100,000 Annually for a Five Year Period Ending June 30, 2026; (2) Approve a Mutual Aid Agreement with San Bernardino County Flood Control District in an Amount Not To Exceed \$100,000 Annually for a Five Year Period Ending June 30, 2026; and (3) Authorize the City Manager to Execute All Documents.

(ACTION)

TAB6 [21-0786](#) Request City Council to Adopt a **Resolution No. 7800** Amending its 2021-2022 Fiscal Budget to include Local Early Action Planning Grant funding by authorizing an increase in estimated revenue in the amount of \$500,000 in Major Project Grant Fund Account No. 223-400-1764-7560 and approving an appropriation of \$500,000 in Major Project Grant Fund Account No. 223-500-1764-2011.

(ACTION)

TAB7 [21-0766](#) Request City Council to: (1) Adopt **Resolution No. 7801** Amending the 2021-2022 Fiscal Year Budget; (2) Approve an Agreement Between for Traffic Control Services Between Amazon.com, Inc. and the City of Rialto for the Period November 15, 2021 Through December 31, 2021 at a Fee of \$55,298.88 and (3) Authorize the City Manager to Execute All Documents.

(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT