

City of Rialto

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



Regular Meeting

Tuesday, May 28, 2019

5:00 PM

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

City Council

*Mayor Deborah Robertson
Mayor Pro Tem Ed Scott
Council Member Joe Baca Jr.
Council Member Rafael Trujillo
Council Member Andy Carrizales
Barbara A. McGee City Clerk
Edward Carrillo City Treasurer
Fred Galante City Attorney
Sean Grayson Interim City Administrator*

Members of the public are afforded an opportunity to speak on any listed agenda item. Please notify the City Clerk if you wish to do so. 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 Thursdays, and on the City's website at www.rialtoca.gov. 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.1619

Next Resolution No.7516

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 [CC-19-597](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: The City Council will discuss the following pending litigation(s) pursuant to Government Code Section 54956.9(d)(1) on the following case:
 - a. Jayd Schroeder v. County of San Bernardino, City of Rialto, et al. (United States District Court, Central District; Case No. ED CV 18-427-DMG (JCx)
 - b. Equilon Enterprises, LLC v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1602980
 - c. Phillips 66 Company v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1516839
 - d. SFPP, L.P. v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1603260
 - e. Tesoro Logistics Operations, LLC v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1603163
- 2 [CC-19-598](#) PUBLIC EMPLOYEE APPOINTMENT(pursuant to Government Code Section 54957)
 Title: City Administrator
- 3 [CC-19-599](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 Pursuant to Government Code Section 54957
 Title: Interim City Administrator
- 4 [CC-19-600](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 Pursuant to Government Code Section 54957
 Title: City Attorney

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Memeber Joe Baca Jr.

INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [CC-19-579](#) Presentation - Congressional Art Competition Winner Joel Martinez -
 Council Member Rafael 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

1. Waive reading in full, all ordinances considered at this meeting.

B. APPROVAL OF WARRANT RESOLUTIONS

B.1 [CC-19-573](#) Warrant Resolution No. 44 (05/16/2019)

B.2 [CC-19-583](#) Warrant Resolution No. 45 (05/23/2019)

C. CLAIMS AGAINST THE CITY

C.1 [CC-19-593](#) Jennique Venable - vehicle damage

C.2 [CC-19-594](#) Grace Reyes - personal injury

C.3 [CC-19-595](#) Virginia Magana - personal injury

C.4 [CC-19-601](#) Saro Hatzakortzian - vehicle damage

D. APPROVAL OF MINUTES

D.1 [CC-19-581](#) Regular City Council Meeting - January 8, 2019

D.2 [CC-19-585](#) Regular City Council Meeting - January 22, 2019

D.3 [CC-19-589](#) Special City Council Meeting - January 29, 2019

E. SET PUBLIC HEARING

E.1 [CC-19-420](#) Request City Council to Set a Public Hearing for **June 11, 2019** to consider **General Plan Amendment No. 2018-0001**, which is a request to change the general plan land use designation of approximately 16.55 gross acres of land from Residential 6 (R6) to Light Industrial (LI) with a Specific Plan Overlay, **Specific Plan Amendment No. 2019-0002**, which is a request to change the boundary of the Rialto Airport Specific Plan to include approximately 16.55 gross acres of land and to change the pre-zoning designation of said 16.55 gross acres of land from Single-Family Residential (R-1A) to Planned Industrial Development (I-PID) within the Rialto Airport Specific Plan. This project includes a Mitigated Negative Declaration (**Environmental Assessment Review No. 2018-0081**) for consideration in conjunction with the project.

E.2 [CC-19-554](#) Request City Council to Set a Public Hearing for **June 11, 2019** to Receive Public Comment Related to the Placement of Sewer Service Charges on the County Property Tax Roll for Delinquent Accounts.

F. MISCELLANEOUS

F.1 [CC-19-513](#) Request City Council to Receive and File the 2018 Consumer Confidence Drinking Water Report.

F.2 [CC-19-512](#) Request City Council to Approve an Increase to the Annual Purchase Order No. 2019-0380 with Galls, LLC for Fiscal Year 2018/19, in the Amount of \$11,000 for Uniforms and Safety Equipment Through June 2019 for a total Purchase Order Amount of \$26,000.

F.3 [CC-19-504](#) Request City Council to Adopt **Resolution No. 7514** Accepting Workers' Compensation Coverage for Off-Duty, Out-of-State Peace Officer Injuries Pursuant to Assembly Bill No. 1749.

F.4 [CC-19-546](#) Request City Council to Receive and File the March 2019 Treasurer's Report.

- F.5 [CC-19-587](#) Request City Council to adopt on Second Reading of **Ordinance 1617**, Entitled “ An Ordinance of the City Council of the City of Rialto, California, Adding Chapter 11.20 of the Rialto Municipal Code Relating to Wireless Telecommunications Facilities within the Right-Of-Way.

TAB PUBLIC HEARINGS

- TAB1 [CC-19-516](#) Request City Council to Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts for the Fourth Quarter of 2018; and Adopt **Resolution No. 7515** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse Accounts with the San Bernardino County Auditor Controller-Recorder. **(ACTION)**
- TAB2 [CC-19-562](#) Request City Council to Conduct a Public Hearing to Extend Interim **Urgency Ordinance No. 1608 from June 8, 2019 to June 7, 2020** by adopting Interim **Urgency Ordinance No. 1618** entitled “AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ESTABLISHING A TEMPORARY MORATORIUM TO PROHIBIT TRUCK TRAFFIC ON AYALA DRIVE BETWEEN THE I-210 FREEWAY AND BASELINE ROAD WITHIN THE RENAISSANCE SPECIFIC PLAN OF THE CITY OF RIALTO” Reading by Title only and Declaring the Urgency Thereof.
(ACTION)

NEW BUSINESS

- TAB3 [CC-19-596](#) Request City Council to Approve an Employment Agreement between the City of Rialto and Rod Foster for City Administrator Position.
(ACTION)
- TAB4 [CC-19-558](#) Request City Council to Conduct a Workshop to Review the Proposed Five-Year 2020-2024 Capital Improvement Program (CIP).
POWERPOINT

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT