

City of Rialto



Regular Meeting

Tuesday, January 12, 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 Interim City Attorney

Sean Grayson Acting City Manager

COMPLYING WITH SOCIAL DISTANCING PROTOCOLS, THE CITY COUNCIL WILL BE PARTICIPATING IN THE MEETING FROM REMOTE LOCATIONS VIA TELECONFERENCE WITHIN THE GUIDELINES OF GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20. THE CITY COUNCIL CHAMBERS WILL BE CLOSED TO THE PUBLIC INSIDE THE 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, GO TO <https://www.yourrialto.com/virtual-city-council-meetings/>.

TO VIEW ONLY

Watch live streaming video of the Meeting at <https://www.yourrialto.com/watch-a-city-meeting/>.

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 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. 1655**Next Resolution No. 7696**

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 [20-0904](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
One (1) Matter:
- Grace Reyes v. City of Rialto
County of San Bernardino Case No. CIVDS 1934890
- 2 [20-0921](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Pursuant to Government Code section 54956.9(d)(2)
One (1) matter
- 3 [20-0916](#) **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to Government Code section 54957.6
Agency Designated Representatives: Sean Grayson, Acting City Manager
Employee Organizations:
- City Government Management Association
 - Rialto Fire Management Association
 - Rialto Mid-Management & Confidential Employee's Association
 - Rialto Police 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
- 4 [20-0915](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code section 54957
Title: Acting City Manager

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [20-0907](#) In Memoriam for Alan Dyer - Mayor Robertson
- 2 [20-0908](#) National Mentoring Month - Jennifer O'Farrell - Executive Director of Riverside & San Bernardino Counties - Big Brothers Big Sisters of the Inland Empire

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 [20-0893](#) Warrant Resolution No. 24 (12/10/2020)
- B.2 [20-0894](#) Warrant Resolution No. 25 (12/17/2020)

B.3 [20-0895](#) Warrant Resolution No. 25a (12/17/2020)

B.4 [20-0897](#) Warrant Resolution No. 25b (12/17/2020)

B.5 [20-0912](#) Warrant Resolution No. 26 (01/07/2021)

C. APPROVAL OF MINUTES

C.1 [20-0896](#) Regular City Council Meeting - December 8, 2020.

D. CLAIMS AGAINST THE CITY

D.1 [20-0901](#) Pershon Moore - Wrongful Death

D.2 [20-0917](#) FG Ray Hall - Damages

D.3 [20-0919](#) Cynthia Balderas - Wrongful Termination

E. SET PUBLIC HEARING

E.1 [20-0888](#) Request City Council to 1) Set a Public Hearing for January 26, 2021, to Conduct a Property Owner Protest Ballot Proceeding; 2) Adopt **Resolution No. 7692** Initiating the Proceedings for the Annexation of Properties to the Rialto Landscaping and Lighting Maintenance District No. 2 and Authorize the Maximum Assessment Rates Commencing in Fiscal Year 2020/2021 and Authorize the Levy and Collection of Assessments Commencing with Fiscal Year 2021/2022; and to 3) Adopt **Resolution No. 7693** Declaring the Intention to Annex Properties to the Rialto Landscaping and Lighting Maintenance District No. 2 and Conduct a Property Owner Protest Ballot Proceeding On The Matter of the New Assessments Related Thereto Commencing with Fiscal Year 2020/2021.

F. MISCELLANEOUS

F.1 [20-0867](#) Request City Council to Approve the Continuation of the Ad Hoc Fire Work Committee through August 1, 2021.

F.2 [20-0885](#) Request City Council Approve an Increase to the Annual Purchase Order No. 2021-0585 with Pristine Uniforms, LLC, for Fiscal Year 2020/21, in the Amount of \$20,000 for Uniforms and Safety Equipment through June 2020 for a total Purchase Order Amount of \$35,000.

F.3 [20-0886](#) Request City Council to Approve the Purchase of Two (2) "Zero" Electric Motorcycles from Mountain Motorsports in the Amount of \$37,728.28.

- F.4 [20-0743](#) Request City Council to (1) Accept the Etiwanda Corridor Improvement Project, City Project No. 160805; (2) Authorize Filing of the Notice of Completion; and (3) Authorize Release of Retention to Vido Samarzich, Inc.
- F.5 [20-0751](#) Request City Council 1) Accept Public Improvements and Accept payment from Lewis-Hillwood Rialto Company, LLC (LHR) in the amount of \$134,490.32; 2) Authorize the Interim City Engineer to File the Notice of Completion, and; 3) Approve the GASB 34 Report, all related to Construction and Credit Agreement by and between the City of Rialto and Lewis-Hillwood Rialto Company, LLC (LHR) related to the Medline Project and Niagara Project.

TAB PUBLIC HEARING

- TAB1 [20-0892](#) Request City Council to Conduct Public Hearing on Zoning Code Amendment No. 20-0004 and Zoning Code Amendment No. 20-0005 and Adopt **Ordinance No. 1653** Regulating Indoor Storage Facilities and **Ordinance No. 1654** Regulating Outdoor Storage Uses.
(ACTION)

NEW BUSINESS

- TAB2 [20-0887](#) Request City Council to 1) Accept Public Improvements; 2) Authorize the reimbursement to Lewis-Hillwood Rialto Company, LLC (LHR) in the amount of \$537,514.60; 3) Certify Final Project Costs of \$2,150,058.43 for the Public Improvements; 4) Approve a Transfer of the balance from the Laurel/Walnut/Locust Escrow account into the Airport Escrow Account; 5) Approve GASB 34 Report; and 6) Authorize the Interim City Engineer to record a Notice of Completion, all related to the Construction Reimbursement Agreement by and between the City of Rialto and Lewis-Hillwood Rialto Company, LLC (LHR) for the Laurel/Walnut/Locust Improvements.
(ACTION)
- TAB3 [20-0905](#) Request City Council to Adopt **Resolution No. 7694** Appointing an Interim Community Development Director and Approving the Employment Agreement with Alexander Hamilton.
(ACTION)

TAB4 [20-0906](#) Request City Council to 1) Receive an Update on and Confirm the Continued Existence of a Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak; and 2) Adopt **Resolution No. 7695** Accepting the Bureau of Justice Assistance FY 20 Coronavirus Emergency Supplemental Funding Program Grant and Appropriate Funding for FY2020/2021 in the Amount of \$96,072.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT