

# City of Rialto



## Regular Meeting - Final

**Tuesday, September 28, 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, AND IN COMPLIANCE WITH SOCIAL DISTANCING PROTOCOLS REQUIRED BY GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20 AND THE STATE DEPARTMENT OF PUBLIC HEALTH, 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.*

*IN RESPONSE TO THE COVID-19 EMERGENCY, AND IN COMPLIANCE WITH SOCIAL DISTANCING PROTOCOLS REQUIRED BY GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20 AND THE STATE DEPARTMENT OF PUBLIC HEALTH, 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@rialtoca.gov](mailto:rialtonetwork@rialtoca.gov).*

#### *TO VIEW ONLY*

*Watch live steaming 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.yourrialtoca.com](http://www.yourrialtoca.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.1663****Next Resolution No. 7778**

**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      [21-0657](#)      **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Pursuant to Government Code section 54956.9(d)  
Twelve (12) Matters

2      [21-0658](#)      **CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code section 54957.6

Agency Designated Representatives: City Manager Marcus Fuller  
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 - Mayor Pro Tem Ed Scott**

**INVOCATION**

**City Attorney's Report on Closed Session**

**PRESENTATIONS AND PROCLAMATIONS**

- 1        [21-0655](#)        Proclamation - "International Walk to School Day" - Mayor Deborah Robertson

**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        [21-0615](#)        Warrant Resolution No. 10 (09/09/2021)
- B.2        [21-0616](#)        Warrant Resolution No. 11 (09/16/2021)

**C. SET PUBLIC HEARINGS**

- C.1**     [21-0596](#)     Request City Council to 1) Set a Public Hearing for October 12, 2021, to Conduct a Property Owner Protest Ballot Proceeding; 2) Adopt **Resolution No. 7772** Initiating the Proceedings for the Annexation of Properties to the Rialto Landscaping and Lighting Maintenance District No. 2 and to Levy and Authorize Collection of Assessments Commencing with Fiscal Year 2021/2022; and to 3) Adopt **Resolution No. 7773** 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 2021/2022.
- C.2**     [21-0618](#)     Request City Council to Set a Public Hearing for October 12, 2021 to consider an appeal of the Planning Commission's decision to deny Conditional Development Permit No. 2020-0020 and Precise Plan of Design No. 2020-0026, a request to allow the development and operation of a 47,609 square foot truck terminal and storage warehouse/distribution center, and associated paving, landscaping, fencing, lighting, and drainage improvements on 12.72 gross acres (11.80 net acres) of land (APNs: 0258-011-01, -09, & -10) located between Cactus Avenue and Lilac Avenue approximately 625 feet south of Slover Avenue within the Light Industrial (M-1) zone and the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan.

**D. MISCELLANEOUS**

- D.1**     [21-0581](#)     Request City Council Adopt **Resolution No. 7774** Approving the Vacation of Existing Right of Way Located within Tract Map No. 17708, which is Generally Located on the West Side of Acacia Avenue and North of East James Avenue, and Reserving an Easement for Public Utility Purposes.
- D.2**     [21-0589](#)     Request City Council to Adopt **Resolution No. 7775** Approving a Property Lease by and between the City of Rialto and Lamar Central Outdoor, LLC for Installation of an Electronic Billboard on City Property Located at the Southwest Corner of Ayala Drive and the SR-210 Freeway.
- D.3**     [21-0603](#)     Request City Council to Receive and File Treasurer's Monthly Report for the month end of July 2021.
- D.4**     [21-0613](#)     Request City Council to Authorize the Release of Request for Bid No. 22-004 for the CDBG Curb, Gutter, and Sidewalk Improvement Project, City Project No. CB2201.

- D.5     [21-0640](#)     Request City Council to Approve the Sale of a Police Service Dog for the Amount of \$1.00.
- D.6     [21-0641](#)     Request City Council to Approve the Sale of a Police Service Dog for the Amount of \$1.00.
- D.7     [21-0642](#)     Request City Council to Approve a Memorandum of Understanding Between the Rialto Unified School District and the City of Rialto to Provide Uniformed Presence at Eisenhower High School and Carter High School Football Games During the Month of October 2021.
- D.8     [21-0656](#)     Request City Council to Adopt by Second Reading **Ordinance No. 1661**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA AMENDING SECTION 2.12.030, SECTION 2.12.040, SECTION 2.12.050 AND 2.12.060 OF THE RIALTO MUNICIPAL CODE TO ADJUST THE SALARIES OF THE MAYOR, MEMBERS OF THE CITY COUNCIL, CITY CLERK AND CITY TREASURER.**

## **TAB     PUBLIC HEARING**

- TAB1     [21-0643](#)     Request City Council to Conduct a Public Hearing and Solicit Public Comments from Interested Citizens, to Consider Approval of the City's 2020-2021 Consolidated Annual Performance and Evaluation Report (CAPER) Related to the City's Community Development Block Grant (CDBG) Funds.  
**(ACTION)**

## **NEW BUSINESS**

- TAB2     [21-0626](#)     Request City Council to Adopt **Resolution No. 7776** Authorizing the City Manager's Approval of a Fee Deferral Agreement of Development Impact Fees and Traffic Fair Share Fees to be Paid by Beyond Food Mart, Inc. Related to Precise Plan of Design No. 2018-0036.  
**(ACTION)**
- TAB3     [21-0531](#)     Request City Council to approve a Services Agreement with National Public Safety Group, LLC, a North Carolina limited liability company, in the amount of \$105,640 for procurement, project management services and expertise in implementation of the Police Department CAD/RMS system upgrade.  
**(ACTION)**

- TAB4**    [21-0428](#)       Request City Council to 1) Approve a 3-Year Services Agreement with Kalmikov Enterprises, Inc., a California corporation, dba Fire Apparatus Solutions, in the Amount of \$300,000 Annually for Repairs and Preventative Maintenance of Fire Apparatus.  
**(ACTION)**
- TAB5**    [21-0614](#)       Request City Council to Approve the First Amendment to the Professional Services Agreements with Engineering Resources of Southern California and Willdan Engineering for On-Call Plan Check Services to Increase the Estimated Amount of Plan Check Services from \$300,000 to \$500,000 Annually.  
**(ACTION)**
- TAB6**    [21-0639](#)       Request City Council to Adopt **Resolution No. 7777** Electing Under Public Contract Code Section 22030 to Become Subject to the Uniform Public Construction Cost Accounting Procedures; and to Introduce **Ordinance No. 1662** to Amend Chapter 2.48 - Purchasing, of the Rialto Municipal Code.  
**(ACTION)**
- TAB7**    [21-0612](#)       Request City Council to Approve the City of Rialto's Climate Adaptation Plan.  
**(ACTION)**
- TAB8**    [21-0653](#)       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)**

## REPORTS

**MAYOR:**

**COUNCIL MEMBERS:**

**CITY ATTORNEY:**

**CITY MANAGER:**

## ADJOURNMENT