

City of Rialto

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



Regular Meeting **ACTION AGENDA**

Tuesday, May 8, 2018

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
Robb Steel 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.rialto.ca.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.1601

Next Resolution No.7340

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 [18-450](#) 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):
- (a) Maria Saida Zepeda v. City of Rialto
S.B. Superior Court, Case No. CIVDS1706592
 - (b) Carl E. Jones, Christopher Hice v. City of Rialto, et al
U.S. District Court, Case No. 5:17-cv-01650-GW-(KKx)
 - (c) Glen Anderson v. City of Rialto
WCAB SAC0000180454
- 2 [18-455](#) Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:
- Agency designated representatives:
Fred Galante, City Attorney
Robb Steel, Interim City Administrator
- Employee organizations:
RPBA Mgmt. Bargaining Unit
RPBA General Bargaining Unit
- 3 [18-456](#) Conference with Real Property Negotiator. The City Council will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:
- (a)Subject: Price and Terms-Right of Way Acquisition
- Property: Southwest corner of Casmalia Street & Alder Ave.
APN # 1129-241-01 & 02
- Negotiators: Robb R. Steel, ICA/Dev. Svs. Director
Terry Thompson/ County of San Bernardino
- 4 [18-458](#) Conference with Legal Counsel - Anticipated Litigation: Initiation to litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9. Number of cases: Two cases.

- 5 [18-457](#) Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Government Code Section 54956.9. Number of cases: One case.
Claimant: Joe Yancey, JD Yancey Enterprises
- 6 [18-461](#) Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Government Code Section 54956.9. Number of cases: One case.

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Mayor Pro Tem Scott

INVOCATION-Pastor Harry Bratton-Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [18-402](#) Proclamation-Kids to Parks Day-Mayor Deborah Robertson
- 2 [18-463](#) Presentation-Rialto Lion's Club-Don Martin, President
- 3 [18-464](#) Introduction of the Rialto Institute of Progress 9th Class
Director of Human Resources & Risk Management Lucy Garcia

ORAL COMMUNICATIONS (5-min time limit)

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.

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by 4-0 vote to approve the Consent Calendar except for items F-3 and F-4. Council Member Carrizales abstained and Mayor Robertson was absent.

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 [18-445](#) Resolution No. 40 (04/19/18)

B.2 [18-446](#) Resolution No. 41 (04/26/18)

C. APPROVAL OF MINUTES

C.1 [18-447](#) Regular City Council Meeting-April 24, 2018

D. CLAIMS AGAINST THE CITY

D.1 [18-448](#) Angel Rosario Jr.-Vehicle Damage

D.2 [18-449](#) Justin Louis Wilson-Beckett-Vehicle Impound

E. SET PUBLIC HEARING

E.1 [18-383](#) Request City Council to Set a Public Hearing for **June 12, 2018** to consider Development Code Amendment No. 2017-0007: A Resolution of the City Council recommending Approval of an Amendment to Sections 18.110.020 and 18.110.050 of Chapter 18.110 "Regulation of the off-sale of alcoholic beverages" of Title 18 in the Rialto Municipal Code.

E.2 [18-410](#) Request City Council to Adopt **Resolution No. 7329** Related to Street Light Maintenance District No. 1, **Resolution No. 7330** for Landscape Maintenance District No. 1, and Landscaping and Lighting District No. 2, and **Resolution No. 7331** Setting a Public Hearing for **June 12, 2018**, to Consider the Levy and Collection of Assessments Therein.

E.3 [18-423](#) Request City Council to Set a Public Hearing for **June 12, 2018** to Review and Consider Introduction of an Ordinance Establishing the Community Choice Aggregation Program for the Procurement and Provision of Electric Power to Rialto Residential and Commercial Customers, and Consider Approval of the Community Choice Aggregation Implementation Plan.

F. MISCELLANEOUS

- F.1** [18-202](#) Request City Council to Approve Lease Agreement Amendment Number One between the City of Rialto, the San Bernardino County Transportation Authority, and Terrence Harper for the John Longville Train Depot.
- F.2** [18-356](#) Request City Council to (1) Accept the Bloomington Avenue Median Conversion Project, City Project No. 140606 and 160808; (2) Authorize the Filing of the Notice of Completion; and (3) Authorize Release of Retention to Promised Land Nursery, a California Corporation.
- F.3** [18-389](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for March 2018.
- F.4** [18-390](#) Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way, Alder Avenue, and Locust/Laurel/Walnut Escrow Accounts for March 2018.
- F.5** [18-391](#) Request City Council to Approve the Purchase of Bulk Winchester Ammunition From Dooley Enterprises, Inc. in the Amount of \$31,279.83.
- F.6** [18-400](#) Request City Council to Approve an Increase of the Purchase Order with Ricky Tankersley, Information Specialist, for Fiscal Year 2017/2018 for Information System Support through June 2018 for a Total Cost of \$23,400.
- F.7** [18-407](#) Request City Council to Authorize the Issuance of a Purchase Order to KOA Consulting in the Amount of \$24,850 for Grant Writing Services Specific to the State of California Department of Transportation, Active Transportation Program - Cycle 4 Grants.
- F.8** [18-460](#) Request City Council to Authorize the Issuance of a Purchase Order to Alta Planning and Design in the Amount of \$24,028 for Grant Writing Services Specific to the State of California Department of Transportation, Active Transportation Program - Cycle 4 Grants.
- F.9** [18-409](#) Request City Council to Award a Construction Contract to IVL Contractors, Inc., of Rialto, CA for the Metrolink Station ADA Accessibility - Station to Platform Project, City Project No. 170808 in the amount of \$18,400.
- F.10** [18-411](#) Request City Council to Authorize Issuance of a Purchase Order in the Amount of \$39,800 to Albert Grover and Associates for Traffic Engineering Services for the Design of Traffic Signal Improvements at Pepper Avenue and Winchester Drive/Terrace Road, and for Additional Traffic Signal System Integration.

- F.11** [18-412](#) Request the City Council Approve **Resolution No. 7332** Authorizing Incentive Pay for Part-Time Aquatics Personnel for the May through September Aquatic Season.
- F.12** [18-419](#) Request City Council to Receive and File the Statement of Income and Expense for March 2018 related to the Construction Reimbursement Agreement and Amendment #1 with Ayala@210LLC for Off-site Improvements on Renaissance Parkway.
- F.13** [18-421](#) Request City Council to reject all Construction Bids for the Development Services Building Addition.
- F.14** [18-424](#) Request City Council to Approve the Issuance of a Purchase Order to Southern California Edison in the Amount of \$41,197.69 for Relocation of Existing Facilities Related to the Randall Avenue Widening Project.
- F.15** [18-433](#) Request City Council to Adopt **Resolution No. 7333** Authorizing the Destruction of Certain Municipal Records of the Police Department.
- F.16** [18-444](#) Request City Council and Rialto Utility Authority Consideration and Approval of Joint **Resolution No. 7334** continuing the temporary sewer connection rate reduction of \$393.98 per seat for full service, \$204.73 per seat for fast service restaurants, and \$500.00 per hotel room with and without restaurants to December 31, 2018.
- F.17** [18-361](#) Request City Council to Receive and File the Sound Attenuation Language for Resolution No. 7258, "A Resolution of the City Council of the City of Rialto, California, Approving the Draft Environmental Impact Report Prepared in Conjunction with the Proposed Pepper Avenue Specific Plan (Specific Plan 2017-0001) in Compliance with the California Environmental Quality Act of 1970 and City Environmental Guidelines", which was approved by the City Council at the December 12, 2017 Public Hearing.
- F.18** [18-386](#) Request City Council to Approve **Budget Resolution No. 7335**, and Authorize Issuance of Purchase Order with MuniTemps Staffing in the amount of \$27,500.00 to Provide Part-Time Staff Support Services in the Finance Department for the remainder of Fiscal Year 2017/2018.
- F.19** [18-454](#) Request City Council/Rialto Utility Authority to Approve the Expenditure for the South Coast Air Quality Management District Permit Fees in an Amount Not to Exceed \$25,000 and Authorize Filing the Permit Application Necessary for the Wastewater Treatment Plant Improvement Project Known As S1.

- F.20 [18-459](#) Request City Council to Adopt **Resolution No. 7336** for Sewer Improvements; and receive and file the Summary Report on Preliminary Bid Results for Sewer Improvements; and the Street and Landscape Improvements on Renaissance Parkway.

TAB PUBLIC HEARING

- TAB1 [18-415](#) Request City Council to Conduct the Public Hearing to Consider and Approve Substantial Amendment No. 1 to the City's 2017-2018 Annual Action Plan and approval of the 2018-2019 Annual Action Plan.
(ACTION)

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by 4-0 vote to approve Tab 1. Mayor Robertson was absent.

TAB NEW BUSINESS

- TAB2 [18-382](#) Request City Council to 1) Adopt Budget **Resolution No. 7337**; 2) Award a Construction Contract in the amount of \$236,070.63 to BWW Construction for the Rialto Park Announcer Booth Project, City Project No . CB1703; and 3) Authorize a Purchase Order with Willdan Engineering in the Amount of \$21,264 for Construction Management and Inspection Services for the Project.
(ACTION)

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by 4-0 vote to approve Tab 2. Mayor Robertson was absent.

- TAB3 [18-432](#) Request City Council to Approve **Resolution No. 7338**, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO OPPOSING THE TAX FAIRNESS, TRANSPARENCY AND ACCOUNTABILITY ACT OF 2018."
(ACTION)

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by 4-0 vote to approve Tab 3. Mayor Robertson was absent.

- TAB4 [18-380](#) Request City Council to Authorize the Purchase of Twelve (12) APX 6500 Radios from Motorola Solutions, Inc. for a Total Cost of \$63,722.01.
(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by 4-0 vote to approve Tab 4. Mayor Robertson was absent.

TAB5 [18-442](#) Request City Council's Approval to Proceed with the Recruitments of Recreation Aide (Part-Time) and Administrative Aide (Part-Time) in the Community Services Department.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by 4-0 vote to approve Tab 5. Mayor Robertson was absent.

TAB6 [18-452](#) Request City Council to Approve an Increase to Purchase Order No . 2018-0725 with Law Office of Kathy M Gandara in the Amount of \$20,000 for a Total of \$69,500 to Cover Additional Costs Associated with Personnel Investigative Services.

(ACTION)

Motion by Council Member Trujillo, second by Council Member Baca Jr. and carried by 4-0 vote to *table* Tab 6. Mayor Robertson was absent.

TAB7 [18-418](#) Request City Council to Approve a Fourth Amendment to the Professional Services Agreement with Willdan Engineering, Inc. increasing the Contract Amount from \$450,620 to \$625,620, an increase of \$175,000.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by 4-0 vote to approve Tab 7. Mayor Robertson was absent.

TAB8 [18-422](#) Request City Council to Approve an Increase to Purchase Order 2016-1495 with E CAM SECURE by \$12,858 for total of \$85,275 for Security Camera Services at 1479 N. Linden Avenue.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by 4-0 vote to approve Tab 8. Mayor Robertson was absent.

TAB9 [18-430](#) Request City Council to Adopt Interim **Urgency Ordinance No. 1601** 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" and Declaring the Urgency Thereof.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by 3-0 vote to continue the item to the next meeting. Mayor Robertson was absent and Council Member Carrizales abstained.

- TAB10** [18-451](#) Request City Council to Approve **Resolution No. 7339** to Accept the California SB1- Local Partnership Competitive Program Grant for \$2,291,000 and Authorize the Release for Bids No. 18-089 for the Alder Avenue Widening.
(ACTION)
- Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by 4-0 vote to approve Tab 10. Mayor Robertson was absent.**
- TAB11** [18-362](#) Request City Council to Authorize a Purchase Order (PO) Increase of \$250,000 with Lockwood Engineering Company for “On-Call” Civil Engineering Plan Check and Related Engineering Services.
(ACTION)
- Motion by Council Member Carrizales, second by Council Member Trujillo and carried by 4-0 vote to approve Tab 11. Mayor Robertson was absent.**
- TAB12** [18-414](#) Request City Council to Authorize a Purchase Order (PO) Increase with Wallace and Associates in the Amount of \$150,000 for “On-Call” Public Works Construction Management and Inspection Services.
(ACTION)
- Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by 4-0 vote to approve Tab 12. Mayor Robertson was absent.**
- TAB13** [18-417](#) Request City Council to Approve the Priority List for Street Rehabilitation Projects Funded by SB1.
(ACTION)
- Motion by Council Member Trujillo, second by Council Member Carrizales and carried by 4-0 vote to approve Tab 13. Mayor Robertson was absent.**

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT