

City of Rialto

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



Regular Meeting **ACTION AGENDA**

Tuesday, June 12, 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. 1604

Next Resolution No. 7354

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 [18-541](#) 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) Ortiz v. City of Rialto
U.S. District Court, Case No. 5:16-cv-01384 GHK
 - (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) Mary B. Thompson v. City of Rialto
SB County Superior Court, Case No. CIVIDS1700704
 - (d) Glen Anderson v. City of Rialto
WCAB SAC0000180454
 - (e) Michael Badin v. City of Rialto
WCAB SAC0000178728
 - (f) Brian Park v. City of Rialto
WCAB SAC0000178735 & SAC0000178670
 - (g) Timothy Brayshaw v. City of Rialto
WCAB SAC0000178726
- 2 [18-542](#) 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: Two cases.
- 3 [18-544](#) 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

- 4 [18-545](#) Public Employee Performance Evaluation pursuant to Government Code Section 54957
Title: Interim City Administrator

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Joe Baca Jr.

INVOCATION-Reverend Jose Vindel-Rialto United Methodist Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [18-566](#) Presentation-Recognition of Measure "M" Committee
Mayor Deborah Robertson
- 2 [18-561](#) Presentation of Award for Art in the Park-Mayor Deborah Robertson
- 3 [18-558](#) Resolution In Memorium of Bud Bender-Mayor Deborah Robertson
- 4 [18-562](#) Certificate of Recognition-Victor Vodnik-Council Member Joe Baca Jr.
- 5 [18-546](#) Presentation-Mothers Against Drunk Driving (MADD) "Deuce Award"
Interim Police Chief Mark Kling
- 6 [18-549](#) Presentation-West Valley Water District-President of the Board
Dr. Clifford Young
- 7 [18-548](#) Presentation-SCAN Star Awards for Video Programming
Rialto Cable Commission

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.

CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

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

B. APPROVAL OF WARRANT RESOLUTIONS (ACTION)

B.1 [18-534](#) Resolution No. 42 (05/03/18)

B.2 [18-535](#) Resolution No. 43 (05/10/18)

B.3 [18-536](#) Resolution No. 44 (05/17/18)

B.4 [18-537](#) Resolution No. 45 (05/24/18)

B.5 [18-538](#) Resolution No. 46 (05/31/18)

C. APPROVAL OF MINUTES

C.1 [18-543](#) Regular City Council Meeting-May 08, 2018

D. CLAIMS AGAINST THE CITY

D.1 [18-539](#) Dustin Fujiwara-Vehicle Damage

D.2 [18-540](#) Jose Florentino-Tree Roots

E. SET PUBLIC HEARING

E.1 [18-529](#) Request City Council to set a Public Hearing for **June 26, 2018** for Development Agreement No. 2018-0001 by and between the City of Rialto and Oakmont El Rivino, LLC.

E.2 [18-519](#) Request City Council to Set a Public Hearing for **June 26, 2018** to consider Specific Plan Amendment No. 2018-0002: An Ordinance of the City Council amending the Rialto Airport Specific Plan to change the standards for maximum building height in certain zones of the Airport Specific Plan Area, and repeal Ordinance No. 1394 to eliminate the requirement of Planning Commission and City Council approval of a Conditional Development Permit for all uses in certain zones of the Airport Specific Plan.

- E.3 [18-520](#) Request City Council to Set a Public Hearing for **June 26, 2018** to receive public comment regarding the placement of charges on the County Property Tax Roll for Delinquent Sewer Payments.

Motion by Council Member Trujillo, second by Council Member Baca Jr. and carried by unanimous vote to approve the Consent Calendar except for items F-5, F-6, F-12, and F-20. Council Member Carrizales abstained

F. MISCELLANEOUS

- F.1 [18-251](#) Request City Council to Approve Amendment No.1 to Cooperative Agreement No. C13026 with San Bernardino County Transportation Authority related to the Metrolink Parking Lot Expansion.
- F.2 [18-420](#) Request City Council to Approve the Purchase of CollectiveQuartermaster Data Software and Equipment from Collective Data, Inc. in the Amount of \$30,146.25.
- F.3 [18-429](#) Request City Council to Approve a Purchase Order with Adamson Police Products in the Amount of \$19,330.35 for AVON Particulate Respirator Protection Masks and Filters.
- F.4 [18-467](#) Request City Council to Receive and File the March 2018 and April 2018 Treasurer's Report.
- F.5 [18-477](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for April 2018.
- F.6 [18-478](#) 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 April 2018.
- F.7 [18-480](#) Request City Council to Receive and File the Statement of Income and Expense for April 2018 related to the Construction Reimbursement Agreement and Amendment #1 with Ayala@210LLC for Off-site Improvements on Renaissance Parkway.
- F.8 [18-486](#) Request City Council to Adopt **Resolution No. 7340** Approving Parcel Map 19407, a Request to Consolidate Seven (7) Parcels of Land into Two (2) Parcels of Land Totaling 23.23 Net Acres Located on the East Side of Tamarind Avenue Approximately 250 Feet South of Walnut Avenue; and Approve the Subdivision Improvement Agreement.
- F.9 [18-491](#) Request City Council to Approve a Travel and Training Request for Lieutenant Dean Hardin to attend Senior Management Institute for Police (SMIP) of the Police Executive Research Forum (PERF) in the Estimated Amount of \$10,405.60, Budgeted in the Proposed Fiscal Year 2018/19 Budget.

- F.10** [18-498](#) Request City Council to (1) Accept the Rialto Community Center Fence Project; City Project No. CB1601; (2) Authorize Filing of the Notice of Completion; and (3) Authorize Release of Retention to Line Tech Contractors, a Sole Proprietorship.
- F.11** [18-499](#) Request City Council to Adopt **Resolution No. 7341** Approving Parcel Map 19806, a Request to Consolidate Four (4) Parcels of Land into Two (2) Parcels of Land totaling 69.71 Acres Located on the North Side of Miro Way between Locust Avenue and Linden Avenue.
- F.12** [18-502](#) Request City Council to Adopt **Resolution No. 7342** to Approve a Quitclaim Deed for Easement No. 444 for Water Purposes Located Across Property on the South Side of Renaissance Parkway Between Linden Avenue and Ayala Drive.
- F.13** [18-503](#) Request City Council to Adopt **Resolution No. 7343** Approving Tract Map 20085, a Request to Subdivide 2.5 Acres of Land into Eight (8) Single-family Lots Located on the West Side of Linden Avenue Approximately 950 Feet South of Etiwanda Avenue and Approve the Subdivision Improvement Agreement.
- F.14** [18-511](#) Request City Council to (1) Accept the Annual Street Overlay Project, City Project No. 170804; (2) Authorize an additional \$28,944.65 for Construction Contract Change Orders; (3) Authorize Filing of the Notice of Completion; and (4) Authorize Release of Retention to Match Corporation.
- F.15** [18-516](#) Request City Council to Issue a Purchase Order, in the amount of \$40,978.98 to CONFIRE J.P.A. (Joint Powers Authority) for Mobile Data Computers Tablets and Accessories.
- F.16** [18-522](#) Request City Council to Receive and file the 2017 Consumer Confidence Report.
- F.17** [18-525](#) Request City Council to Award a Construction Contract to TSR Construction and Inspection in the Amount of \$42,400 for the Bud Bender Park Field Lights Project, City Project No. CB1801.
- F.18** [18-533](#) Request City Council to Authorize Issuance of a Purchase Order with Impressions Gourmet Catering in the amount of \$18,024.42 to provide Catering Services for the State of Women Event
- F.19** [18-509](#) Request City Council to Approve the Intergovernmental Agreement Regarding Transfer of Public Funds between the City and the California Department of Healthcare Services for the service period of July 1, 2017 through June 30, 2018.

F.20 [18-506](#) Request City Council to **Adopt Resolution No. 7344**, Dedicating Portions of City-Owned Property, Located within the Renaissance Specific Plan, as Public Right-of-Way for Scholl Way.

TAB PUBLIC HEARING

TAB1 [18-462](#) Request City Council to Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts for the Fourth Quarter of 2017 and Adopt **Resolution No. 7345** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse Accounts with the San Bernardino County Auditor Controller-Recorder.
(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to approve Tab 1.

TAB2 [18-504](#) Request City Council to Conduct a Public Hearing Regarding the Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2; Adopt **Resolution No. 7346** Declaring the Results of the Property Owner Protest Ballot Proceedings Conducted for the Proposed Levy of Assessments Related to the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, Commencing in Fiscal Year 2018/2019; and Adopt **Resolution No. 7347** Confirming the Engineer's Report Regarding the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, the Levy of Annual Assessments Described Therein, and the Assessment Diagram Connected Therewith, and Ordering the Levy and Collection of Assessments Commencing in Fiscal Year 2018/2019 for Said Annexation.
(ACTION) POWERPOINT

Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by 4-0 vote to approve Tab 2. Council Member Carrizales abstained

TAB3 [18-508](#) Request City Council to Conduct a Public Hearing to Adopt **Resolution No. 7348** Approving the Engineer's Reports and Ordering the Levy of Assessments for Fiscal Year 2018/2019 for Street Light Maintenance District No. 1, **Resolution No. 7349** for Landscape Maintenance District No. 1, and **Resolution No. 7350** for Landscaping and Lighting District No. 2.
(ACTION) POWERPOINT

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to approve Tab 3.

TAB4 [18-494](#) Request City Council to Approve the Budget **Resolution No. 7351**, Conduct a Public Hearing to Introduce for first reading: **Ordinance No. 1601** Entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA A RIALTO COMMUNITY CHOICE AGGREGATION PROGRAM FOR THE PROCUREMENT AND PROVISION OF ELECTRIC POWER TO RESIDENTIAL AND COMMERCIAL CUSTOMERS WITHIN THE CITY OF RIALTO CITY LIMITS". Reading by Title Only and Waiving Full Reading Thereof;
(ACTION)POWERPOINT

Public hearing continued.

TAB5 [18-565](#) Request City Council to Conduct a Public Hearing to Introduce for first reading **Ordinance No. 1602** (Development Code Amendment No. 2017-0007) entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING SECTIONS 18.110.020 AND 18.110.050 OF THE RIALTO MUNICIPAL CODE REGARDING THE SALE OF ALCOHOLIC BEVERAGES IN SEALED CONTAINERS FOR OFF-SITE CONSUMPTION" Reading by Title only and Waiving further reading thereof.
(ACTION)

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by unanimous vote to approve Tab 5.

TAB NEW BUSINESS

TAB6 [18-413](#) Request City Council to Approve **Budget Resolution No. 7352** and Approve the Purchase of Twenty-Two Plate Hunter F3 Fixed License Plate Reading Systems and Two Mobile License Plate Reading Systems from Selex ES, Inc. in the Amount of \$366,509.60.
(ACTION)

Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by unanimous vote to approve Tab 6.

TAB7 [18-482](#) Request City Council to Approve a Contract with the County of Riverside Department of Animal Services to Provide Animal Shelter Services in the Amount of \$303,017 for Fiscal Year 2018/2019.
(ACTION)

Motion by Council Member Carrizales., second by Council Member Baca Jr. and carried by unanimous vote to approve Tab 7.

TAB8 [18-518](#) Request City Council to Approve a One (1) Year Contract with Wittman Enterprises LLC for Ambulance Billing and related Professional Services in the amount not to exceed \$100,000 per year and Authorize Issuance of a Purchase Order in the amount of \$50,000 for Fiscal Year 2017-2018 and \$100,000 Fiscal Year 2018-19.

(ACTION)

Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by unanimous vote to approve Tab 8.

TAB9 [18-507](#) Request City Council's Approval to Proceed with the Recruitments of Administrative Analyst (Payroll), Emergency Dispatcher I, Law Enforcement Technician, Police Officer (Lateral), Lifeguard, Lifeguard/Water Safety Instructor (WSI), and Administrative Aide.

(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by unanimous vote to approve Tab 9.

TAB10 [18-505](#) Request City Council to Approve an Increase to Purchase Order No . 2018-0725 with the Law Office of Kathy M. Gandara in the Amount of \$25,000 for a Total of \$74,500 to Cover Additional Costs Associated with Personnel Investigative Services.

(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by unanimous vote to approve Tab 10.

TAB11 [18-476](#) Request City Council to Adopt Interim **Urgency Ordinance No. 1602** 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)

Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by 4-0 vote to approve Tab 11. Council Member Carrizales abstained.

TAB12 [18-404](#)

Request the City Council 1) Approve extending the escrow period for six months to December 29, 2018 by depositing \$115,000 non-refundable with the County of San Bernardino as Seller; 2) Adopt **Resolution No.**

7353 Appropriating \$4,485,000 from General Fund Reserves to acquire the 13 acre Property at the southwest corner of Casmalia Avenue and Alder Avenue; and, 3) Authorize the City Administrator to execute appropriate documentation, in a form approved by the City Attorney, authorizing the extension.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Carrizales. and carried by unanimous vote to approve Tab 12.

TAB13 [18-492](#)

Request City Council and Housing Authority Board to Approve 1) Amendment #2 to the Professional Service Agreement with Keyser Marston Associates for Real Estate Advisory Services for Economic Development by increasing the maximum authorization by \$ 40,000 to a total of \$115,000 and 2) Amendment #1 to the Professional Services Agreement for Real Estate Advisory Services for Affordable Housing Projects, increasing the maximum authorization by \$11,000 to a total of \$23,000.

(ACTION)

Motion by Council Member Trujillo, second by Mayor Pro Tem Scott and carried by unanimous vote to approve Tab 13.

TAB14 [18-515](#)

Request City Council to 1) Approve Contract Change Order No. 7 with KASA Construction in the Amount of \$54,357, and 2) Approve a Purchase Order Increase to St. Francis Electric in the Amount of \$22,350 for the Joe Sampson Park Project, City Project No. 150303.

(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by unanimous vote to approve Tab 14.

TAB15 [18-512](#)

Request City Council to Approve Geographics and Southwest Offset Printing as Graphics and Print Vendors for the Design, Printing and Mailing of the Rialto Progress Community Magazine for a cost of \$ 112,000 annually.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to approve Tab 15.

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT