

City of Rialto

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



Regular Meeting **ACTION AGENDA**

Tuesday, June 26, 2018

5:00 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 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.1605

Next Resolution No. 7371

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 [18-626](#) Public Employee Appointment pursuant to Government Code Section 54957
Title: Interim City Administrator

- 2 [18-627](#) 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) Brian Park v. City of Rialto
WCAB SAC0000178670

 - (b) Steven Cunningham v. City of Rialto
WCAB SAC0000178690, SAC0000178767, SAC0000178691
& SAC0000178780

 - (c) Timothy Brayshaw v. City of Rialto
WCAB SAC0000178660, SAC0000178726, & SAC0000178714

 - (d) Roger Nakamura v. City of Rialto
WCAB SAC0000178668 & SAC0000178714

 - (e) Carl E. Jones, Christopher Hice v. City of Rialto, et al
U.S. District Court, Case No. 5:17-cv-01650-GW-(KKx)

 - (f) Ortiz v. City of Rialto
U.S. District Court, Case No. 5:16-cv-01384 GHK

 - (g) San Bernardino Valley Municipal Water District v. San Gabriel Valley
Water d.b.a Fontana Water Company, et al
S.B. Superior Court Case No. CIVDS1311085

- 3 [18-628](#) 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.

- 4 [18-629](#) 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:
RMMA Bargaining Unit
RCEA Bargaining Unit
RFMA Bargaining Unit
Rialto Firefighters Local 3688

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Rafael Trujillo

INVOCATION-Pastor Victor Nolan-Words in Action

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [18-630](#) Presentation-2018 4th of July Fireworks Update-Fire Chief
Sean Grayson and Interim Police Chief Mark Kling

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 Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by unanimous vote to approve the Consent Calendar.

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 [18-610](#) Resolution No. 47 (06/07/18)

B.2 [18-611](#) Resolution No. 48 (06/14/18)

C. CLAIMS AGAINST THE CITY

C.1 [18-613](#) Jorge Conde-Vehicle Damage

C.2 [18-614](#) Danny & Jennifer Aparicio-Traffic Accident

D. SET PUBLIC HEARING

D.1 [18-580](#) Request City Council to Set a Public Hearing for **July 10, 2018**, to Approve and Adopt the Budget Plan for Fiscal Year 2018-2019 and adopt **Resolution No. 7354**, **RHA Resolution No. 005-18** and **RUA Resolution No. 02-18** to Continue the Fiscal Year 2017/18 Budget and Contracts

E. MISCELLANEOUS

E.1 [18-052](#) Request City Council to Adopt **Resolution No. 7355** Authorizing the Destruction of Certain Municipal Records of the Finance Department.

E.2 [18-483](#) Request City Council to Approve Second Amendment with Brett Carlson to increase its Purchase Order by from \$30,000 to \$49,500, an increase of \$19,500 for Fiscal Year 2017/18 and extend for one year.

E.3 [18-514](#) Request City Council to Approve the Issuance of a Purchase Order to Drop Deck Depot of Atlanta, GA in the amount of \$20,915 for an Enclosed Hydraulic Drop Deck Trailer.

E.4 [18-553](#) Request City Council to Approve the Fiscal Year 2018 and Fiscal Year 2019 Travel Expense List for Purposes of Travel Policy Compliance.

E.5 [18-571](#) Request City Council to Approve Renewal of the Law Enforcement Policy Manual Update Subscription, Daily Training Bulletin Management Services and Update Management Services in the Amount of \$28,629 for Lexipol LLC.

- E.6 [18-572](#) Request City Council to Award Bid #18-113 and Approve the Issuance of a Purchase Order for Regulatory Street Signs and Supplies from Statewide Traffic Signs in the amount of \$17,882.41.
- E.7 [18-588](#) Request City Council to Adopt 1) **Resolution No. 7356** calling and giving notice of holding a General Municipal Election on November 6, 2018; 2) **Resolution No. 7357** requesting the Board of Supervisors to consolidate this Election with the Statewide General Election, and 3) **Resolution No. 7358** Adopting regulations for candidates pertaining to candidate statements.
- E.8 [18-615](#) Request City Council to Adopt on Second Reading **Ordinance No. 1601** (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"
- E.9 [18-598](#) Request City Council to Authorize Release of a Request for Proposals for Administration of Community Development Block Grant Services and continue current contract services with LDM, Associates, Inc. on a month-to-month basis until the approval of the RFP.

TAB PUBLIC HEARING

- TAB1** [18-586](#) Request City Council to Conduct a Public Hearing to Receive Public Comment and Approve **Resolution No. 7359** Authorizing the Placement of Sewer Service Charges on the County Property Tax Roll for Delinquent Accounts.
(ACTION)

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

- TAB2** [18-607](#) Request City Council to Conduct the Public Hearing to introduce for first reading **Ordinance No. 1603** for Development Agreement No. 2018-0001 by and between the City of Rialto and Oakmont El Rivino, LLC entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT NO. 2018-0001 BY AND BETWEEN THE CITY OF RIALTO AND OAKMONT EL RIVINO, LLC AND MAKING CERTAIN FINDINGS THEREIN RELATED TO THE PROPOSED CONSTRUCTION OF 2,252,867 SQUARE FEET OF DISTRIBUTION WAREHOUSE FACILITIES LOCATED ON A 122.7+/- ACRE SITE, NORTH OF EL RIVINO ROAD AND WEST OF CACTUS AVENUE IN THE M-1 (LIGHT INDUSTRIAL) ZONE OF THE CITY OF RIALTO.” Reading by title only and waving further reading thereof.
(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by unanimous vote to approve Tab 2.

- TAB3** [18-591](#) Request City Council to Conduct a Public Hearing to introduce for first reading **Ordinance No. 1604** entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING AN AMENDMENT TO THE RIALTO AIRPORT SPECIFIC PLAN TO CHANGE THE STANDARDS FOR MAXIMUM BUILDING HEIGHT IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA, AND REPEALING ORDINANCE NO. 1394 TO ELIMINATE THE REQUIREMENT OF PLANNING COMMISSION AND CITY COUNCIL APPROVAL OF CONDITIONAL DEVELOPMENT PERMITS FOR ALL USES IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA” (Specific Plan Amendment No. 2018-0002 attached hereto as **Exhibit A**) 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 3.

TAB NEW BUSINESS

TAB4 [18-581](#) Request City Council to Approve a Three Year Professional Services Agreement for Independent Audit Services to Teaman, Ramirez and Smith, Inc. in the Amount of \$214,750.

(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by unanimous vote to approve Tab 4.

TAB5 [18-573](#) Request City Council to Authorize the Release of Notice Inviting Bids for Expansion, Redevelopment and Renovation of Frisbie Park, City Project No. 150304.

(ACTION) POWERPOINT

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

TAB6 [18-587](#) Request City Council to Adopt **Resolution No. 7360** Approving Municipal Solid Waste Collection, Recycling and Disposal Service Rates for Fiscal Year 2018/2019, Effective July 1, 2018.

(ACTION) POWERPOINT

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by unanimous vote to approve Tab 6, option 2.

TAB7 [18-589](#) Request City Council to Approve **Resolution No. 7361** Authorizing a Tentative Agreement with the Rialto Police Officers' Association, General Bargaining Unit, for the term of August 1, 2016 through June 30, 2019; and Approve **Resolution No. 7362** Authorizing a Tentative Agreement with the Rialto Police Officers Association, Management Bargaining Unit, for the term August 1, 2016 through June 30, 2019.

(ACTION)

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

TAB8 [18-590](#) Request City Council to Approve **Resolution No. 7363** Authorizing the City Employees' Compensation Rates and Schedule for the 2018-2019 Fiscal Year.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to approve Tab 8.

TAB9 [18-617](#) Request City Council to Adopt **Resolution No. 7364** Appointing an Interim City Administrator and Approving the Employment Agreement with Ahmad R. Ansari.

(ACTION)

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

TAB10 [18-550](#) Request City Council to Accept the Grant Assistance Program (GAP) Administered by the California Department of Alcoholic Beverage Control (ABC), in the Amount of \$61,943.

(ACTION)

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

TAB11 [18-574](#) Request City Council to Approve a Records Management System, Mobile Data, Computer Aided Dispatch, Property/Evidence Systems, CrimeMapping.com, CrimeView Desktop and Dashboard Annual Maintenance Agreement with TriTech Software Systems in the Amount of \$150,114.42 for Fiscal Year 2018/2019.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by unanimous vote to approve Tab 11.

TAB12 [18-555](#) Request City Council to (1) Adopt **Resolution No. 7365** Approving a Construction and Credit Agreement by and between the City of Rialto and Pegasus LH, LLC.

(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by unanimous vote to approve Tab 12.

TAB13 [18-557](#) Request City Council to Approve a Third Amendment with Interwest Consulting Group to increase their contract amount by \$20,000 from \$130,000 to \$150,000 for the remainder of Fiscal Year 2017/18 to PO 2018-0585.

(ACTION)

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

TAB14 [18-568](#) Request City Council/Rialto Utility Authority to Approve a Final Construction Work Authorization in the Amount of \$310,141 to Rialto Water Services for the Sewer Facility Improvement Project S8 - Repairs to the Primary Clarifier, Aeration Basin and Diffusers in Plants No. 3 and No. 4.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to approve Tab 14.

TAB15 [18-569](#) Request City Council 1) Adopt Budget **Resolution No. 7366**; 2) Award a Construction Contract to the Pacific Hydrotech Corporation for the Construction of the Booster Pump Station for Serving Domestic and Fire Protection Water to the Renaissance East Shopping Center in the Amount of \$1,468,565, City Project No. 180402; 3) Authorize a Purchase Order with Willdan in the Amount of \$45,409 for Construction Management and Inspection Services for the Project; and 4) Approve the First Amendment to the Professional Services Agreement with Kimley Horn in the Amount of \$48,800 for Construction Engineering Services for the Project.

(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by 4-0 vote to approve Tab 15. Council Member Carrizales abstained.

TAB16 [18-600](#) Request City Council to Adopt **Urgency Ordinance No. 1605** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ESTABLISHING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF, OR ALTERATIONS AND IMPROVEMENTS TO, THE ROADWAY MEDIAN ISLAND LOCATED ON RIVERSIDE AVENUE BETWEEN THE 1-10 FREEWAY AND THE SOUTHERNMOST BORDER OF THE CITY," reading by title only and declaring the urgency thereof.

(ACTION)

Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by unanimous vote to approve Tab 16.

TAB17 [18-524](#) Request City Council to Adopt **Resolution No. 7367** Accepting the California SB1-Public Transportation-Adaptation Planning Grant in the amount of \$350,000; and Authorize the Release of a Request for Proposals for Related Professional Consultant Services for Rialto 's Climate Adaptation Plan with Transportation Integration.

(ACTION)

Motion by Council Member Trujillo, second by Council Member Carrizales and carried by unanimous vote to approve Tab 17.

TAB18 [18-576](#) Request City Council to Approve Contract Change Orders to Match Corporation in the amount of \$245,689.63, for a Total Contract Amount of \$2,689,689.63, for the Annual Street Overlay Project, City Project No. 160801.

(ACTION)

Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by 4-1 vote to approve Tab 18. Mayor Robertson voted no.

TAB19 [18-438](#) Request City Council to Approve a Professional Services Agreement with Huitt-Zollars, Inc. for Professional Engineering Services for the Design of the Baseline Master Plan Storm Drain from Cactus Basin to Tamarind Avenue in the Amount of \$521,625.

(ACTION)

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to approve Tab 19.

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT