

# City of Rialto

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



## **Regular Meeting** **ACTION AGENDA**

**Tuesday, July 24, 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  
Ahmad Ansari 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 TitleII).*

## **Next Ordinance No. 7381**

## **Next Resolution No. 1609**

### **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      [18-728](#)      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) Steven Cunningham v. City of Rialto  
WCAB SAC0000178690, SAC0000178767, SAC0000178691  
& SAC0000178780
  - (b) Timothy Brayshaw v. City of Rialto  
WCAB SAC0000178660, SAC0000178726, & SAC0000178714
  - (c) Roger Nakamura v. City of Rialto  
WCAB SAC0000178668 & SAC0000178714
  - (d) Christopher Hice v. City of Rialto, et al  
WCAB SAC0000184208 & SAC0000180732
  - (e) Brian Park v. City of Rialto  
WCAB SAC0000178670
  - (f) 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
- 2      [18-730](#)      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.
- 3      [18-729](#)      Public Employee Performance Evaluation pursuant to Government Code Section 54957  
Title: Interim City Administrator
- 4      [18-736](#)      Public Employee Appointment pursuant to Government Code Section 54957 and Rialto Municipal Code Section 2.04.100  
Title: Interim Emergency Dispatch Supervisor

6:00 p.m. 6:12 pm

Called to Order By: Mayor Deborah Robertson

ROLL CALL Mayor Pro Tem Scott, Council Members: Baca Jr., Carrizales and Trujillo

PLEDGE OF ALLEGIANCE-Mayor Deborah Robertson

INVOCATION-Dr. Patterson-Moving Waters Ministries

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

ORAL COMMUNICATIONS (5-minute 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 [18-719](#) Resolution No. 01 (07/05/18)

B.2 [18-720](#) Resolution No. 02 (07/12/18)

**C. APPROVAL OF MINUTES**

C.1 [18-722](#) Regular City Council Meeting-July 10, 2018

**D. CLAIMS AGAINST THE CITY**

D.1 [18-726](#) Anthony Montenegro-Personal Property

D.2 [18-727](#) Robert Wiles-Pothole

**E. SET PUBLIC HEARING**

- E.1**     [18-701](#)     Request City Council to Set a Public Hearing for **August 28, 2018**, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 1st Quarter of the 2018 Calendar Year.

**F. MISCELLANEOUS**

- F.1**     [18-554](#)     Request City Council to Authorize the Release of Request for Bid No. 19-001 for the 2018-2019 Citywide Roof Repairs Project, City Project No. 180202.
- F.2**     [18-664](#)     Request City Council to Approve an Exclusive Right to Negotiate an Agreement with RV Spa for the Development of Approximately 6 Acres of Property located southwest of Casmalia Avenue and Alder Avenue.
- F.3**     [18-694](#)     Request City Council to Adopt Resolution **Nos. 7371, 7372, and 7373** Setting the Special Tax Levy for Community Facilities District (CFD) 2016-1, 2006-1, and 87-2 for Fiscal Year 2018/2019 and approve attached agreement.
- F.4**     [18-696](#)     Request City Council to Approve the Purchase of Twelve Getac Rugged Laptop, V110G3 Extreme 17-6500U, Mobile Data Computers From DuraTech USA, Inc. in the Amount of \$45,250.35.
- F.5**     [18-723](#)     Request City Council/Rialto Utility Authority to Adopt on second reading **Ordinance No. 1606** Entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ESTABLISHING A COMMUNITY CHOICE AGGREGATION PROGRAM FOR THE PROCUREMENT AND PROVISION OF ELECTRIC POWER TO RESIDENTIAL AND COMMERCIAL CUSTOMERS WITHIN THE CITY OF RIALTO CITY LIMITS."
- F.6**     [18-724](#)     Request City Council to Adopt **Resolution No. 7374** Declaring the June 5, 2018 Special Municipal Election Results and approve **Ordinance No. 1607** entitled "AN ORDINANCE OF THE PEOPLE OF THE CITY OF RIALTO, CALIFORNIA EXTENDING THE EIGHT PERCENT (8%) UTILITY USERS TAX, WITH NO SUNSET CLAUSE, MAINTAINING EXEMPTIONS FOR VERY LOW INCOME HOUSEHOLDS, AS DEFINED BY CALIFORNIA HEALTH & SAFETY CODE SECTION 50105, AND FOR INDIVIDUALS WHO ARE 65 YEARS OLD OR OLDER, BY AMENDING SECTION 3.16.230 OF CHAPTER 3.16 OF TITLE 3 OF THE RIALTO MUNICIPAL CODE, AND OTHERWISE AFFIRMING CHAPTER 3.16 OF TITLE 3 OF THE RIALTO MUNICIPAL CODE".

**TAB PUBLIC HEARING**

- TAB 1** [18-646](#) Request City Council to Conduct a Public Hearing to Approve and Adopt **Resolution No. 7375**, RHA **Resolution No. 006-18**, RUA **Resolution No. 03-18**, **Resolution No. 7376**, **Resolution No. 7377**, and **Resolution No. 7378** to Discuss, Approve and Adopt the Budget Plan for Fiscal Year 2018/2019.  
**(ACTION) PRESENTATION**

**Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by unanimous vote to Continue the public hearing until the August 14th City Council Meeting**

- TAB 2** [18-706](#) Request City Council to Conduct a Public Hearing to Extend Interim **Urgency Ordinance No. 1602** from **July 27, 2018 to June 8, 2019** by adopting Interim **Urgency Ordinance No. 1608** 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 Council Member Trujillo, second by Mayor Pro Tem Scott and carried by a 4-0 vote to approve TAB 2. Council Member Carrizales abstained.**

**TAB NEW BUSINESS**

- TAB 3** [18-712](#) Request City Council Approval to Proceed with the Recruitment of an Emergency Dispatch Supervisor and to Adopt **Resolution No. 7379** Appointing an Interim Emergency Dispatch Supervisor and Approving the Employment Agreement with Elizabeth Rocha.  
**(ACTION)**

**Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by unanimous vote to approve TAB 3.**

- TAB 4** [18-644](#) Request City Council to Receive the MSRC Clean Transportation Presentation, Adopt **Resolution No. 7380** Authorizing the Submission of Grant Applications for \$135,980 to the MSRC Clean Transportation Funding Local Partnership Program Grant, and Appropriate the Required Matching Funds.  
**(ACTION) PRESENTATION**

**Motion by Council Member Carrizales, second by Council Member Trujillo and carried by unanimous vote to approve TAB 4.**

**REPORTS**

**MAYOR:**

**COUNCIL MEMBERS:**

**CITY ADMINISTRATOR:**

**ADJOURNMENT**

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to adjourn the meeting at 9:56 pm