

# City of Rialto

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



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

**Tuesday, October 10, 2017**

**5:00 PM**

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the  
Redevelopment Agency**

### **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  
Mike Story 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](http://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.1592**

## **Next Resolution No.7215**

**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        [17-933](#)        Conference with Legal Counsel - Anticipated Litigation: Initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9. Number of cases: Two cases.

**Subsequent Need Item added-Labor Negotiations**

6:00 p.m.

**Called to Order By:**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE-Council Member Joe Baca Jr.**

**INVOCATION-Pastor John Phillips, St. Paul Family Ministries**

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

**PRESENTATIONS AND PROCLAMATIONS**

- 1        [17-926](#)        Proclamation-College Application Day-Mayor Deborah Robertson

**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 Trujillo., and carried by unanimous vote to approve Consent Calendar except for item F.2. F.4 and F.5. Council Member Carrizales abstained from those items.

## **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 [17-919](#) Resolution No. 4 (07/28/17)  
B.2 [17-920](#) Resolution No. 4A (07/28/17)

### **C. APPROVAL OF MINUTES**

- C.1 [17-921](#) Regular City Council Meeting - September 26, 2017

### **D. CLAIMS AGAINST THE CITY**

- D.1 [17-923](#) Equilon Enterprises - Refund/Appeal  
D.2 [17-924](#) Southern California Edison - Property Damage  
D.3 [17-925](#) Alice M. Graciano - Personal Injury

### **E. SET PUBLIC HEARING**

- E.1 [17-912](#) Request City Council to Set a Public Hearing for **October 24, 2017** for Development Code Amendment No. 2017-0003, Introduction for First Reading of An Ordinance of the City Council approving an Amendment to Chapter **9.53 (MARIJUANA CULTIVATION) AND 18.115 (COMMERCIAL MARIJUANA SALES) OF THE RIALTO MUNICIPAL CODE AND REPEALING CHAPTER 9.45 (MOBILE MARIJUANA DISPENSERIES) AND VARIOUS SECTIONS OF TITLE 18 AS IT PERTAINS TO MEDICAL MARIJUANA DISPENSERIES.**
- E.2 [17-913](#) Request City Council to Set a Public Hearing for **October 24, 2017** for Development Code Amendment No. 2017-0004, Introduction for First Reading of An Ordinance of the City Council approving an Amendment to **SECTION 18.58.060(B)(1) (CARPORT ALTERNATIVE) OF THE RIALTO MUNICIPAL CODE AS IT PERTAINS TO PARKING REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL (R-3) DEVELOPMENT.**

- E.3**     [17-911](#)     Request City Council to Set a Public Hearing for **October 24, 2017** to consider **Ordinance No. \_\_\_\_\_** "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA AMENDING CHAPTER 9.45 AND ADDING CHAPTER 18.112 OF THE RIALTO MUNICIPAL CODE TO EXPRESSLY BAN THE CULTIVATION AND DELIVERY OF MEDICAL MARIJUANA IN ALL ZONES OF THE CITY and repeal **Ordinance No. 1570** "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING SECTIONS 18.02, GENERAL PROVISIONS; 18.04 DEFINITIONS; 18.26 A-P ZONE; 18.27 O-P ZONE; 18.28 C-1 ZONE; 18.30 C-1A ZONE; 18.31 R-C ZONE, 18.32 C-2 ZONE; 18.33 F-C ZONE; 18.34 C-3 ZONE, 18.35 I-P ZONE; 18.36 C-M ZONE; 18.38 M-1 ZONE AND 18.40 PID ZONE OF THE RIALTO MUNICIPAL CODE AS IT PERTAINS MEDICAL MARIJUANA DISPENSARIES".
- E.4**     [17-932](#)     Request City Council to Set a Public Hearing for **October 24, 2017** for Development Code Amendment No. 2017-0005, Introduction for First Reading of **An Ordinance of the City Council approving an Amendment to add Section 18.64.090, "Minor Variance" to Chapter 18.64 of Title 18 in the Rialto Municipal Code establishing a Minor Variance Administrative Approval Procedure.**
- E.5**     [17-934](#)     Request City Council to Set a Public Hearing for **October 24, 2017** for Development Code Amendment No. 2017-0007, Introduction for First Reading of An Ordinance of the City Council approving 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.**
- F.        MISCELLANEOUS**
- F.1**     [17-905](#)     Request City Council to Adopt **Resolution No. 7212** Approving Parcel Map No. 19726, a Request to Consolidate Eight (8) Parcels of Land into One (1) 9.35 Net Acre Parcel of Land to Facilitate the Development of a 200,845 Square Foot Warehouse Building Located at the Northwest Corner of Alder Avenue and Walnut Avenue and Approve the Subdivision Improvement Agreement.
- F.2**     [17-906](#)     Request City Council to Approve a Grant of Easement between the Successor Agency and Southern California Edison for facilities located on the Northerly Side of Renaissance Parkway, east of Locust Avenue.

- F.3**     [17-881](#)     Request City Council to Approve Agreements with Property Owners on Cactus Avenue, Valley Boulevard, and Linden Avenue in the total amount of \$30,295 for Right-of-Way Acquisition and Temporary Construction Easements for the Valley, Cactus and, Linden Widening Project, City Project No.140802.
- F.4**     [17-901](#)     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 August 2017.
- F.5**     [17-902](#)     Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for August 2017.
- F.6**     [17-850](#)     Request City Council to (1) Accept the Annual CDBG Curb, Gutter, & Sidewalk Improvement Project; (2) Authorize Filing of the Notice of Completion; and (3) Authorize Release of Retention to Hardy & Harper, Inc., a California Corporation.
- F.7**     [17-878](#)     Request City Council to Approve Agreements with Property Owners on Randall Avenue between Cactus Avenue and Riverside Avenue in the Total Amount of \$15,069.24 for Right-of-Way Acquisition and Temporary Construction Easements for the Randall Avenue Widening Project, City Project No. 140809.
- F.8**     [17-793](#)     Request City Council to (1) Accept the Easton Development Parking Lot Improvements; City Project No. 160812; (2) Approve Change Order No. 4 in the amount of \$8,879.90; (3) Authorize Filing of the Notice of Completion; and (4) Authorize Release of Retention to TSR Construction and Inspection.

**TAB    NEW BUSINESS**

- TAB 1**   [17-903](#)     Request City Council to Approve a First Amendment to the Professional Service Agreement with PMAM Corporation for False Alarm Management Services for a Period of One Year.

**(ACTION)**

**Amendment Request denied. Refer to Month to Month agreement.**

- TAB 2**   [17-796](#)     Request City Council to 1) Adopt **Resolution No. 7213**; and 2) Award a Contract to KASA Construction, Inc., in the Amount of \$5,147,000 for the Construction of Joe Sampson Park, City Project No. 150303.

**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo., and carried by unanimous vote to approve Tab 2 as amended to complete in 10 months.**

**TAB 3** [17-885](#) Request City Council to Authorize the Issuance of a Purchase Order to Musco Sports Lighting, LLC in the Amount of \$136,374 for the Purchase of Field Lights for Ball Field No. 2 at Bud Bender Park, City Project CB1801.  
**(ACTION)**

**Motion by Mayor Pro Tem Scott, Second by Council Member Carrizales., and carried by unanimous vote to approve Tab 3.**

**TAB 4** [17-907](#) Request City Council to Approve a Professional Services Agreement with IDS Group for Engineering, Landscape Design and Project Management Services for Phase II Citywide Parks Improvements, in the amount of \$571,900.  
**(ACTION)**

**Motion by Council Member Trujillo, Second by Council Member Baca Jr., and carried by 4-1 vote to approve Tab 4. Mayor Pro Tem Scott voted No.**

## REPORTS

**MAYOR:**

**COUNCIL MEMBERS:**

**CITY ATTORNEY:**

**CITY ADMINISTRATOR:**

**ADJOURNMENT**