

# City of Rialto

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



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

**Tuesday, October 24, 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.1597**

## **Next Resolution No.7223**

**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      [17-986](#)      Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:

Agency designated representatives:  
Fred Galante, City Attorney  
Mike Story, City Administrator

Employee organizations:  
RMMA Bargaining Unit  
RCEA Bargaining Unit  
RPBA Mgmt. Bargaining Unit  
RPBA General 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-Dr. Patterson-Moving Waters Ministries**

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

## **PRESENTATIONS AND PROCLAMATIONS**

- 1      [17-981](#)      Proclamation-Law Enforcement Records and Support Personnel Day-Mayor Deborah Robertson
- 2      [17-982](#)      Presentation-Pride Platoon Recognition for Service to Youth Award by the Juvenile Justice and Delinquency Prevention Commission of San Bernardino County-Police Chief Randy DeAnda
- 3      [17-987](#)      Resolution-Takata Airbag Recall-Mayor Deborah Robertson
- 4      [17-989](#)      Certificate of Appreciation for Recreation and Parks Commissioner Clifford Devost-Mayor Deborah Robertson

- 5      [17-988](#)      Presentation-Walking School Bus Event Recap-Public Works Program  
Coordinator Katie Nickel

## **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 Council Member Baca Jr., Second by Mayor Pro Tem Scott, and carried by unanimous vote to approve Consent Calendar except for items E.2 and F.11. 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      [17-977](#)      Resolution No. 5 (08/04/17)

B.2      [17-978](#)      Resolution No. 5A (08/04/17)

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

C.1      [17-980](#)      Regular City Council Meeting - October 10, 2017

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

D.1      [17-979](#)      Warren Reeves - Property Damage

D.2      [17-983](#)      Christopher Jindrich - Property Damage

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

E.1      [17-846](#)      Request City Council to Set a Public Hearing for **November 14, 2017** to Consider "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO TO ESTABLISH CHAPTER 15.64 OF THE RIALTO MUNICIPAL CODE ENTITLED ELECTRIC VEHICLE CHARGING STATION STREAMLINED PERMITTING PROCESS AND AMEND VARIOUS SECTIONS OF THE RIALTO MUNICIPAL CODE (TITLE 18-ZONING)" (Development Code Amendment No. 2017-0006).

- E.2 [17-976](#) Request City Council to Set a Public Hearing for **November 14, 2017** to consider **Environmental Assessment Review No. 2017-0055: Specific Plan Amendment No. 2017-0003: Tentative Parcel Map No. 2017-0007: Conditional Development Permit Nos. 2017-0029 And 0033: Variance No. 2017-0010: and Precise Plan of Design Nos. 2017-0066 And 0074 (MC Nos. 2017-0056 and 0063):** A request to determine the adequacy of an Addendum to the 2010 certified Renaissance Specific Plan Final EIR; amend the Renaissance Specific Plan to modify the street cross section for Renaissance Parkway; subdivide a 7.6 acre parcel into six developable lots; develop a 10,486 sq. ft. restaurant (Cracker Barrel), a 2,720 sq. ft. restaurant (Sonic), three multi-unit commercial buildings and a 100 + room hotel for the 80,000 sq. ft. Renaissance East commercial center located at the northeast corner of Ayala Drive and Renaissance Parkway in the Freeway Incubator (FI) zone of the Renaissance Specific Plan.
- E.3 [17-960](#) Request City Council to Set a Public Hearing for **November 28, 2017**, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 2nd Quarter of the 2017 Calendar Year.
- F. MISCELLANEOUS**
- F.1 [17-697](#) Request City Council, acting for the Successor Agency to the Redevelopment Agency of the City of Rialto, to Approve Second Amendment to the Purchase and Sale Agreement by and between the Successor Agency to the Redevelopment Agency of the City of Rialto and Morin Family Trust to revise the Anti-Speculation Penalty commence date to October 24, 2017 related to Buyer's property (APN 0240-201-60).
- F.2 [17-939](#) Request City Council to Receive and File the August 2017 Treasurer's Report.
- F.3 [17-944](#) Request City Council to Approve a Professional Service Agreement for \$27,000 with Kosmont Companies for real estate and economic analysis and a Professional Service Agreement for \$19,500 with Lockwood Engineering Company for land survey services related to County Property at southwest corner of Casmalia Avenue and Alder Avenue.
- F.4 [17-963](#) Request City Council to Approve Agreement for Conveyance of Real Property from SP Assets, LLC, a California Limited Liability Corporation for \$31,956.00 for the San Bernardino Avenue, Riverside Avenue and Willow Avenue Street and Storm Drain Improvements, City Project No. 13080.
- F.5 [17-964](#) Request City Council to Adopt **Resolution No. 7214** Authorizing the Destruction of Certain Municipal Records of the Public Works Department.

- F.6**     [17-945](#)     Request City Council, acting for the Successor Agency, Approve Professional Services Agreement Amendment #1 with Colantuono and Levin for Legal Services to the Oversight Board to increase maximum amount from \$30,000 to \$40,000.
- F.7**     [17-950](#)     Request City Council to Approve **Resolution No. 7215** Amending the City's Personnel Rules and Regulations to Establish a Veterans' Preference Program Related to Employment with the City of Rialto.
- F.8**     [17-955](#)     Request City Council to Accept the Grant Assistance Program (GAP) Administered by the Department of Alcoholic Beverage Control in the Amount of \$25,000 and Adopt Budget **Resolution No. 7216** to Appropriate Funding for Fiscal Year 2017/18.
- F.9**     [17-958](#)     Request City Council to Authorize the Release of Request for Bids for the Bud Bender Park Monument Sign Project, City Project No. CB1802.
- F.10**    [17-966](#)     Request City Council to Approve an Increase to Existing Purchase Order 2018-0553 with Roth Staffing Companies, L.P., for Administrative and Cashiering support in the Development Services Department by \$ 31,680, which Increases the total Purchase Order amount from \$15,000 to \$46,680 for Fiscal Year 2018.
- F.11**    [17-952](#)     Request City Council to Approve a **Budget Resolution No. 7217** increasing appropriations in the Storm Drainage Fund in the amount of \$22,000 and decreasing appropriations in the Traffic Fund, as part of the Construction Reimbursement Agreement by and between the City of Rialto and Ayala@210LLC for the East Renaissance Project.

**TAB    PUBLIC HEARING**

- TAB1**    [17-959](#)     Request City Council to Conduct a Public Hearing to Introduce for First Reading **Ordinance No. 1593** entitled: "AN ORDINANCE OF THE CITY COUNCIL APPROVING MODIFICATIONS 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 AND R-4) DEVELOPMENT" (Development Code Amendment No. 2017-0004).  
**(ACTION)**

**Motion by Council Member Baca Jr., Second by Mayor Pro Tem Scott, and carried by unanimous vote to approve TAB 1.**

**TAB2** [17-967](#) Request City Council to Conduct a Public Hearing to introduce for first reading **Ordinance No. 1594** entitled “AN ORDINANCE OF THE CITY COUNCIL TO PROHIBIT COMMERCIAL MARIJUANA ACTIVITIES IN THE CITY, PROHIBIT OUTDOOR PERSONAL CULTIVATION OF MARIJUANA, AND ESTABLISH REASONABLE REGULATIONS FOR THE INDOOR PERSONAL CULTIVATION OF MARIJUANA, BY ADDING CHAPTER 18.115 (MARIJUANA USES AND ACTIVITIES PROHIBITED) TO TITLE 18 (ZONING) AND CHAPTER 9.53 (PERSONAL CULTIVATION OF MARIJUANA) TO DIVISION V OF TITLE 9, OF THE RIALTO MUNICIPAL CODE; AND REPEALING VARIOUS SECTIONS OF TITLE 18 (ZONING) AND CHAPTER 9.45 (MOBILE MARIJUANA DISPENSARIES) OF DIVISION V OF TITLE 9, OF THE RIALTO MUNICIPAL CODE (Development Code Amendment No. 2017-0003); BY REPEALING ORDINANCE NO.1570 AND FINDING AN EXEMPTION FROM CEQA.  
**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve TAB 2.**

**TAB3** [17-961](#) Request City Council to Cancel a Public Hearing Scheduled to introduce for first reading **Ordinance No. 1595** entitled “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” (Development Code Amendment No. 2017-0007) reading by title only and waiving further reading thereof .  
**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve TAB 3.**

**TAB4** [17-962](#) Request City Council to Conduct a Public Hearing to introduce for first reading **Ordinance No. 1596** entitled “ AN ORDINANCE OF THE CITY COUNCIL APPROVING AN AMENDMENT TO CHAPTER 18.64 OF TITLE 18 OF THE RIALTO MUNICIPAL CODE TO ADD SECTION 18.64.090, “MINOR VARIANCE” ESTABLISHING A MINOR VARIANCE ADMINISTRATIVE APPROVAL PROCEDURE” (Development Code Amendment No. 2017-0005) reading by title only and waiving further reading thereof.  
**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve TAB 4.**

**TAB NEW BUSINESS**

**TAB5** [17-956](#) Request City Council to Approve a **Budget Resolution No. 7218** and Issue a Purchase Order to Zoll Medical Corporation in the amount of \$87,692.88 for Advance Life Support Medical Equipment.

**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Carrizales, and carried by unanimous vote to approve TAB 5.**

**TAB6** [17-948](#) Request City Council Adopt **Resolution No. 7219** Approving Financing Contracts related to the Solar CREB Lease Financing, in the amount of \$6,854,652.88, with Holman Capital and Mohave State Bank and the Service Contract with Alliance Building Solutions, Inc., supplementing Resolution No. 7122 adopted on May 9, 2017 and Adopt **Budget Resolution No. 7220**.

**(ACTION)**

**Motion by Mayor Pro Tem Scott, Second by Council Member Baca Jr., and carried by unanimous vote to approve to continue the item and send back to the EDC Committee.**

**TAB7** [17-954](#) Request City Council to Approve Contract for Third Party Administration for General Liability with Carl Warren & Company in an Amount not to Exceed One Hundred Twenty-Seven Thousand One Hundred Ten Dollars (\$127,110) for the Entire Term of January 1, 2018 Through June 30, 2020.

**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve TAB 7.**

**TAB8** [17-930](#) Request City Council Approval of the Second Amendment to the Professional Services Agreement with FG Solutions, LLC for Additional Services Related to the Efficiency-based, Water Rate Study in the Amount of \$50,230 increasing the total agreement cost to \$125,980.

**(ACTION)**

**Motion by Mayor Pro Tem Scott, Second by Council Member Carrizales, and carried by unanimous vote to approve TAB 8.**

**TAB9** [17-940](#) Request City Council/Rialto Utility Authority to Approve Contract Change Order No. 1 in the Amount of \$253,856.15 for a Total Project Amount of \$1,104,005.15 for the Final Construction Work Authorization Identified As S4 - Sewer Mains Replacement on Willow Avenue Project.

**(ACTION)**



**Motion by Council Member Baca Jr., Second by Mayor Pro Tem Scott, and carried by unanimous vote to approve TAB 9.**

**TAB10** [17-917](#)

Request City Council to Approve a Cooperative Agreement with the City of Fontana for the Construction of a New Pedestrian Signal, Signs and Striping at the Pacific Electric Inland Empire Trail at Maple Avenue and Issuance of a Purchase Order in the Amount of \$117,500 for the City's Portion of the Construction Costs.

**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve TAB 10.**

**TAB11** 17-951

Request City Council to Approve a Fifth Amendment to the Professional Services Agreement with Harris & Associates in the Amount of \$99,967 for the 2017/18 Street Overlay Project, City Project No. 180804, and a Cumulative Contract Amount of \$746,424.

**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve TAB 11.**

**TAB12** [17-970](#)

Request City Council to (1) Adopt **Resolution No. 7221** Appropriating Park Development Impact Fee Funding in the amount of \$267,000; (2) Award a Professional Services Agreement to Wallace and Associates Consulting, Inc., for Construction Management and Inspection Services for the Construction of Joe Sampson Park, City Project No. 150303, in the Not-to-Exceed amount of \$300,000; (3) Delegate Authority to the City Administrator to Approve and Execute Construction Contract Change Orders for Unforeseen Conditions and Contract Changes in the Work, in the Amount of \$130,000 for the Construction of Joe Sampson Park.

**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Carrizales, and carried by unanimous vote to approve TAB 12.**

**TAB13** [17-622](#)

Request City Council to Authorize the Issuance of a Purchase Order with Public Restroom Company, Inc. for the Purchase of a Prefabricated Restroom for Placement at Joe Sampson Park, City Project No. 150303, in the Amount of \$256,057.

**(ACTION)**

**Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve TAB 13.**

**REPORTS**

**MAYOR:**

**COUNCIL MEMBERS:**

**CITY ATTORNEY:**

**CITY ADMINISTRATOR:**

**ADJOURNMENT**