

City of Rialto

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



Regular Meeting - Final

Tuesday, April 23, 2019

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
Sean Grayson 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.rialtoca.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. 1617 Next Resolution No. 7505

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

CLOSED SESSION

- 1 [CC-19-443](#) 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) Gary Cunningham v City of Rialto
WCAB No's 18929000006; SAC0000196563 &
SAC0000179054
 - (b) Dane Stordahl v. City of Rialto
San Bernardino Superior Court Case No. CIVDS1825596
 - (c) Equilon Enterprises, LLC v. City of Rialto
San Bernardino Superior Court, Case No. CIVDS1602980
 - (d) Phillips 66 Company v. City of Rialto
San Bernardino Superior Court, Case No. CIVDS1516839
 - (e) SFPP, L.P. v. City of Rialto
San Bernardino Superior Court, Case No. CIVDS1603260
 - (f) Tesoro Logistics Operations, LLC v. City of Rialto
San Bernardino Superior Court, Case No. CIVDS1603163
- 2 [CC-19-461](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION:
Significant exposure to litigation pursuant to paragraph (2) of subdivision
(d) of Section 54956.9. Number of cases: Two cases

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Scott

INVOCATION - Rev. Briccio Tamoro SVD-St. Catherine of Siena Catholic Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [CC-19-449](#) Certificates of Recognition - International Denim Day - Council Member Rafael Trujillo
- 2 [CC-19-460](#) Presentation - "Art in the Park" Contest Winner - Rialto Lions Club
- 3 [CC-19-465](#) Presentation - Prescription Drug Take Back Program - Police Chief Mark Kling

ORAL COMMUNICATIONS

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

- B.1 [CC-19-430](#) Warrant Resolution No. 39a (04/09/2019)
- B.2 [CC-19-437](#) Warrant Resolution No. 39 (04/11/2019)
- B.3 [CC-19-462](#) Warrant Resolution No. 40 (04/18/2019)

C. APPROVAL OF MINUTES

- C.1 [CC-19-463](#) Regular City Council Meeting - November 13, 2018

D. SET PUBLIC HEARING

- D.1 [CC-19-436](#) Request City Council to Set a Public Hearing for **May 14, 2019**, to Consider and Approve the City's 2019-2020 Annual Action Plan (CDBG).
- D.2 [CC-19-418](#) Request City Council to Set a Public Hearing for **May 28, 2019**, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 4th Quarter of the 2018 Calendar Year.

E. MISCELLANEOUS

- E.1 [CC-19-413](#) Request City Council to Approve Professional Services Agreement with Stanley R. Hoffman & Associates to Prepare a Citywide Fiscal Impact Analysis for the Purpose of Establishing a Mitigation Fee Schedule in the amount of \$20,000.
- E.2 [CC-19-364](#) Request City Council Adopt **Resolution No. 7498** Approving the Summary Vacation of Existing Excess Right-of-Way Along north Fitzgerald Avenue, north of Leiske Drive within the Employment (EMP) zone of the Renaissance Specific Plan.
- E.3 [CC-19-407](#) Request City Council to Adopt **Resolution No. 7499**, Adopting a List of Projects for Fiscal Year 2019/2020 Funded by the Road Repair and Accountability Act of 2017.
- E.4 [CC-19-412](#) Request City Council to Approve Amendment #2 to Exclusive Right to Negotiate Agreement with RV Spa for the Development of Approximately 6 Acres of Property located southwest of Casmalia Avenue and Alder Avenue.
- E.5 [CC-19-431](#) Request City Council to Approve an Increase with The Counseling Team International in an Amount Not To Exceed \$33,800.

TAB PUBLIC HEARING

- TAB1** [CC-19-429](#) Request City Council to Conduct Public Hearing and Adopt **Resolution No. 7500** Approving a Property Lease by and between the City of Rialto and Lamar Central Outdoor for a City Owned Property on the north side of the 210 Freeway, westerly of Alder Avenue.
(ACTION)

NEW BUSINESS

- TAB2** [CC-19-440](#) Request that the City Council (i) Adopt **Urgency Ordinance No. 1616**, entitled "An Urgency Ordinance of the City Council of the City of Rialto, California Adding Chapter 11.20 of the Rialto Municipal Code Relating to Wireless Telecommunications Facilities within the Right-of-Way", (ii) Set A Public Hearing For **May 14, 2019** to Introduce for First Reading an Ordinance, Entitled " An Ordinance of the City Council of the City of Rialto, California, Adding Chapter 11.20 of the Rialto Municipal Code Relating to Wireless Telecommunications Facilities within the Right-Of-Way, and (iii) Approve **Resolution No. 7494**, entitled "A Resolution of the City Council of the City of Rialto, California, Approving a City Council Policy for Small Wireless Facilities In the Public Right-Of-Way And Corresponding Design Standards". **POWERPOINT**
(ACTION)
- TAB3** [CC-19-414](#) Request City Council to Adopt **Resolution No. 7501** Appropriating Expenditures of \$67,378.09 for the Costs of Forming a Community Facilities District for the Lytle Creek Ranch Project.
(ACTION)
- TAB4** [CC-19-438](#) Request City Council to Approve Quarterly Ground Emergency Medical Services Quality Assurance Fee Payments (GEMT-QAF) to the Department of Healthcare Services (DHCS) to allow continued participation in the Medi-Cal Ground Emergency Medical Transportation (GEMT) Supplemental Reimbursement Program.
(ACTION)
- TAB5** [CC-19-439](#) Request City Council/Rialto Utility Authority Approve the Acceptance of \$6 Million Dollars in Water Replenishment Credits for the Settlement of Rialto-Colton Basin Litigation.
(ACTION)

- TAB6** [CC-19-416](#) Request City Council/Rialto Utility Authority Approval of a Final Construction Work Authorization in the Amount of \$825,000 for the Customer Information System Replacement and Data Transfer and Conversion Services.
(ACTION)
- TAB7** [CC-19-417](#) Request City Council Approve a Development Impact Fee Deferral Agreement with Jack's Grill and Billiards Inc. deferring Development Impact Fee of \$33,013.47 for a proposed development at 148 S. Riverside Avenue.
(ACTION)
- TAB8** [CC-19-280](#) Request City Council to Adopt **Budget Resolution No. 7502** 1) Accepting the Homeless Emergency Aid Program (HEAP) Grant Award for \$600,759, 2) Appropriating \$600,759 to specified revenue and expenditure accounts, and (3) Authorizing a two-year Contract with the County of San Bernardino for the Homeless Management Information System.
(ACTION)
- TAB9** [CC-19-419](#) Request City Council to Approve **Budget Resolution No. 7503** and **Resolution No. 7504** Approving a Recruitment Incentive Program for Lateral Sworn and Non-Sworn Employees to be Included in the FY2018/2019 Police Department Budget.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT