

City of Rialto

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



Regular Meeting

Tuesday, January 14, 2020

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
Rod Foster City Manager*

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. 1634 Next Resolution No. 7591

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 [20-0084](#) 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) Ortiz v. City of Rialto, U.S. District Court Case No. 5:16-cv-01384 GHK KSx (consolidated with Pena v. Rialto, USDC Case No. 5:16-cv-02020)
 - (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
 - (g) Gary Cunningham v City of Rialto (WCAB 1892900025, 1892900006, SAC0000179054 & SAC0000196563)
- 2 [20-0085](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.
Number of cases: One
- 3 [20-0086](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR. The City Council will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:
- Subject: Price and Terms of Real Estate
Property: APN 0264-152-32, 33, 34 and 35 (Renaissance East)
Negotiators: Mathew Schneider, Community Development Director
Fernando Acosta, Ayala/210 Partners

- 4 [20-0087](#) CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Gov't Code Section 54957.6:
City designated negotiator/representative: Angela McCray, Human
Resources Director
Employee organizations:
RFMA
 RPBA - General
 RPBA - Management

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Council Member Rafael Trujillo

INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [20-0048](#) Proclamation - National Mentoring Month - Mayor Deborah Robertson
- 2 [20-0077](#) Rialto Right Stuff Challenge Winners - Steven Bradshaw - Burrtec

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 [20-0049](#) Warrant Resolution No. 24 (12/12/19)
- B.2 [20-0055](#) Warrant Resolution No. 25 (12/19/19)
- B.3 [20-0056](#) Warrant Resolution No. 25a (12/19/19)
- B.4 [20-0076](#) Warrant Resolution No. 26 (01/09/2020)

C. APPROVAL OF MINUTES

- C.1 [20-0057](#) Regular City Council Minutes - December 10, 2019

D. CLAIMS AGAINST THE CITY

- C.2 [20-0060](#) Allstate Insurance aso Alma Acosta - Vehicle Damage
- C.3 [20-0058](#) Aura Perez - Personal Injury
- C.4 [20-0059](#) Coleen Deermer - Property Damage
- C.5 [20-0073](#) Deborah Miller - Property Damage
- C.6 [20-0074](#) Eric Martinez - Property Damage
- C.7 [20-0068](#) Lawrence Ray Bender - Personal Injury
- C.8 [20-0071](#) Mike Mason - Trespassing
- C.9 [20-0072](#) Patricia Stockliene - Property Damage
- C.10 [20-0067](#) Rita Ann Corral Duran - Personal Injury

F. MISCELLANEOUS

- F.1 [20-0042](#) Request City Council to Approve the Purchase of Two (2) Wanco Portable Light Towers with Tri-Star Safety Services Inc. for the Police Department, in the Amount of \$18,744.62.
- F.2 [20-0045](#) Request City Council to Approve the Purchase of Twenty-Three (23) Dell Laptop XPS 13 9380 from Newport West Com. for the Police Department, in the Amount of \$42,988.73.
- F.3 [20-0051](#) Request City Council to Approve the Purchase of Sixty-Two (62) Active Shooter Vest Kits from Adamson Police Products in the Amount of \$34,355.29.
- F.4 [19-1024](#) Request City Council to Approve a Contract Services Agreement with Prudential Overall Supply for Industrial Linen Services for Fiscal Year 2019/2020 in the Amount of \$17,000.

- F.5 [20-0075](#) Request City Council to Adopt **Resolution No. 7589** Accepting the San Bernardino County Transportation Authority (SBCTA) Transportation Development Act (TDA) Article 3 Grant in the Amount of \$226,000 for the Easton Sidewalk Improvements Project and \$14,432 for the Bus Stop Accessibility Improvements.
- F.6 [20-0082](#) Request The City Council to Adopt by Second Reading **Ordinance No. 1631** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN" reading by title only and waiving further reading thereof

TAB PUBLIC HEARING

- TAB1 [20-0040](#) Request City Council to Conduct a Public Hearing to consider the second reading and adoption **Ordinance No. 1630** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, REPEALING IN ITS ENTIRETY TITLE 15, CHAPTER 15.28, OF THE RIALTO MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE, FEES AND PENALTIES, THE CALIFORNIA CODE OF REGULATIONS, TITLE 19 AND 24, AND OTHER RELATED CODES, WITH APPROPRIATE AMENDMENTS PER CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 17958, 17958.5 AND 17598.7 AS A NEW TITLE 15, CHAPTER 15.28" Amending Chapter 15.28 of the Rialto Municipal Code to Adopt by Reference the 2019 Edition of the California Fire Code and Approving Findings of Local Necessity.
(ACTION)
- TAB2 [20-0043](#) Request City Council to Conduct a Public Hearing to consider **Ordinance No. 1633**, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ADDING SECTIONS TO CHAPTER 18.66 (CONDITIONAL DEVELOPMENT PERMITS) AND AMENDING CHAPTER 18.38.020 OF THE RIALTO MUNICIPAL CODE TO REQUIRE THE APPROVAL OF A CONDITIONAL DEVELOPMENT PERMIT FOR THE DEVELOPMENT, EXPANSION, OR MODIFICATION OF STORAGE WAREHOUSES, DISTRIBUTION CENTERS, AND SIMILAR USES IN ALL INDUSTRIAL ZONES WITHIN THE CITY OF RIALTO", reading by title only and waiving full reading thereof.
(ACTION)

TAB3 [20-0063](#) Request City Council to Conduct a Public Hearing to consider an agreement for the Purchase and Sell of Real Property and Joint Escrow Instructions with Orbis Real Estate Partners, LLC and Adopt **Resolution No. 7590** which approves the Agreement for the Purchase and Sale of Real Property and Joint Escrow Instructions for property generally located at the northeast corner of Laurel Avenue and Renaissance Parkway, and more particularly identified as Assessor's Parcel Number 0240-211-31, to Orbis Real Estate Partners, LLC.
(ACTION)

NEW BUSINESS

TAB4 [20-0054](#) Request City Council/Rialto Utility Authority (RUA) to Authorize the Final Payout for the Completed Fiscal Year 2018//2019 Water and Wastewater Operating Repair and Replacement (OR&R) Projects Using Available RUA Funds and Approve the Anticipated Fiscal Year 2019/2020 Water and Wastewater OR&R Projects and Expenditures.
(ACTION)

TAB5 [20-0003](#) Request City Council to Introduce First Reading of **Ordinance No. 1632** entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO , CALIFORNIA, AMENDING SECTION 17.20.070 OF THE RIALTO MUNICIPAL CODE RELATED TO THE AUTHORITY TO RELEASE SUBDIVISION IMPROVEMENT SECURITIES," reading by title only and waiving further reading thereof.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT